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भारत का राजपत्र
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सं० 12] नई दिल्ली, शनिवार मार्च, 19, 1988/ फाल्गुन 29, 1909

No. 12] NEW DELHI, SATURDAY, MARCH 19, 1988/PHALGUNA 29, 1909

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-Section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं

Statutory Orders and Notifications issued by the Ministries of the Government of India (other than the Ministry of Defence)

विधि और न्याय मंत्रालय

(विधायी विभाग)

शुद्धि-पत्र

नई दिल्ली, 12 फरवरी, 1988

का.आ. 660—भारत के राजपत्र, असाधारण, भाग II, खण्ड 3, उप-खण्ड (ii), तारीख 7 जनवरी, 1988 में प्रकाशित इस विभाग की दिनांक 7 जनवरी, 1988 की अधिसूचना में अन्तर्विष्ट घोषणा में—

"उस सदन में, दमन और दिव के संघ राज्यक्षेत्र बनाने के कारण हुई रिक्ती को भरने के लिए सम्यक रूप से निर्वाचित हो गए है।" शब्दों के स्थान पर पढ़े

"उस सदन में, गोवा, दमन और दिव पुनर्गठन अधिनियम 1987 (1987 का 18) के द्वारा आवंटित स्थान को भरने के लिए सम्यक रूप से निर्वाचित हो गए है।"

[फा. सं. 13(1)/87-विधायी-II]

वनजा एन. सरना, अवर सचिव

MINISTRY OF LAW & JUSTICE

(Legislative Department)

CORRIGENDUM

New Delhi, the 12th February, 1988

S.O. 660.—In the declaration of result of election to the House of the People from 1-Daman and Diu Parliamentary Constituency in Union Territory, contained in this Department's Notification dated the 7th January, 1988 published in the Gazette of India, Extraordinary, Part-II, Section 3, sub-section (ii) dated the 7th January, 1988—

for the words "has been duly elected to fill the vacancy caused in that House by the formation of new Union Territory of Daman and Diu."

read "has been duly elected to fill the seat allotted to the Union Territory of Daman and Diu in the House of the People by the Goa, Daman and Diu Re-organisation Act, 1987 (18 of 1987)."

[F. No. 13(1)/87-Leg.II]

VANAJA N. SARNA, Under Secy.

गृह मंत्रालय

(आन्तरिक सुरक्षा विभाग)

(पुनर्वास प्रभाग)

नई दिल्ली, 29 जनवरी, 1988

का. आ. 661.—निष्क्रांत हित (पृथक्करण), अधिनियम, 1951 (1951 का एल. एक्स-1) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा श्री एस. के. टण्डन, वाणिज्य उपन्यायाधीश, दिल्ली को उनके अपने कार्यभार के अतिरिक्त उक्त अधिनियम के अधीन सौंपे गए कार्यों का निष्पादन तथा शक्तियों का प्रयोग करने के लिए तत्काल प्रभाव से दिल्ली संघ राज्य क्षेत्र के लिए सक्षम अधिकारी नियुक्त करती है ।

2. इसके द्वारा दिनांक 6-2-1985 की अधिसूचना सं. 1(1)/विशेष सैल/85 एम. एम. II का अतिक्रमण किया जाता है ।

[संख्या-1(1)/विशेष सैल/85-एस०एस० II]

कुलदीप राय, उप सचिव

MINISTRY OF HOME AFFAIRS

(Department of Internal Security)

(Rehabilitation Division)

New Delhi, the 29th January, 1988

S.O. 661.—In exercise of the powers conferred by sub-section (1) of Section 4 of the Evacuee Interest (Separation) Act, 1951 (LXIV of 1951), the Central Government hereby appoints Shri S. K. Tandon, Commercial Sub Judge, Delhi, as Competent Officer, for the Union Territory of Delhi, for the purpose of performing, the functions and exercising the powers under the said Act, in addition to his own duties, with immediate effect.

2. This supersedes Notification No. 1(1)/Spl. Cell/85-SS. II dated the 6th February, 1985.

[No. 1(1)/Spl. Cell/85-SS.II]

KULDIP RAI, Dy. Secy.

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(पेंशन और पेंशनभोगी कल्याण विभाग)

नई दिल्ली, 10 फरवरी, 1988

का. आ. 662.—राष्ट्रपति, संविधान के अनुच्छेद 309 के परंतुक और अनुच्छेद 148 के खंड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारतीय लेखा परीक्षा और लेखा विभाग में सेवारत व्यक्तियों के संबंध में नियंत्रक महालेखा परीक्षक से परामर्श करने के पश्चात् केन्द्रीय सिविल सेवा (पेंशन) नियम, 1972 का और संशोधन करने के लिए निम्नलिखित नियम बनाते है, अर्थात्:—

1. (1) इन नियमों का संक्षिप्त नाम केन्द्रीय सिविल सेवा (पेंशन) संशोधन नियम, 1988 है ।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे ।

2. केन्द्रीय सिविल सेवा (पेंशन) नियम, 1972 के नियम 30 के उपनियम (1) में 31 मार्च, 1960 के पश्चात् किसी सेवा या पद पर नियुक्त कोई सरकारी सेवक अंकों और शब्दों के स्थान पर ऐसा सरकारी सेवक जो 31 मार्च, 1960 के पश्चात् किसी सेवा या पद से सेवा निवृत्त होता है शब्द और अंक रखे जाएंगे ।

[संख्या 28/51/86-पी० एण्ड पी० डब्ल्यू०]

ए० के० पटनायक, उप सचिव

पाद टिप्पण:—

केन्द्रीय सिविल सेवा (पेंशन), नियम, 1972 का. आ. 934 तारीख 1-4-1972 के रूप में प्रकाशित किए गए थे नियमों का तीसरा संस्करण (दिसम्बर, 1981 तक संशोधित) 1982 में मुद्रित किया गया था । नियम तत्पश्चात् पेंशन और प्रशासनिक सुधार विभाग (पेंशन और पेंशनभोगी कल्याण विभाग) की निम्नलिखित अधिसूचनाओं द्वारा संशोधित किए गए थे ।

क्रम सं.	अधिसूचना संख्या	तारीख
1	का.आ. 3477	10-9-83
2.	का. आ. 4041	1-12-84
3.	का. आ. 4218	8-12 84
4.	का. आ. 3324	20-7-85
5.	का. आ. 5192	16-11-85
6	का.आ. 5304	30-11-85
7.	का. आ. 762	1-3-86
8	का. आ. 1246	29-3-86
9.	का. आ. 2325	21-6-86
10.	का. आ. 1174	9-5-87
11	का.आ. 1966	8-8-87

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Pension and Pensioners' Welfare)

New Delhi, the 10th February, 1988

S.O 662.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of the article 148 of the Constitution and after consultation with the Comptroller and Auditor General in relation to persos serving in the Indian Audit and Account Department, the President hereby makes the following rules further to amend the Central Civil Services (Pension) Rules, 1972, namely :—

1. (1) These rules may be called the Central Civil Services (Pension) Amendment Rules, 1988.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In rule 30 of the Central Civil Services (Pension) Rules, 1972, in sub-rule (1) for the words, figures and letters "A Government servant appointed to a service or post after the 31st March, 1960", the words, figures and letters "A Government servant who retires from service or post after the 31st March, 1960" shall be substituted.

[No. 28/51/86-P&PW]

A. K. PATNAIK, Dy. Secy.

FOOT NOTE :—The Central Civil Services (Pension) Rules, 1972 were published as S.O. 934 dated 1-4 1972. The Third Edition (corrected upto December, 1981) of the rules was printed in 1982. The rules were subsequently amended vide DP&AR (DP&PW) Notifications given below :—

1. S.O. 3477, Dated 10-9-1983
2. S.O. 4041, Dated 1-12-1984
3. S.O. 4218, Dated 8-12-1984
4. S.O. 3324, Dated 20-7-1985
5. S.O. 5192, Dated 16-11-1985
6. S.O. 5304, Dated 30-11-1985
7. S.O. 762, Dated 1-3-1986
8. S.O. 1246 Dated 29-3-1986
9. S.O. 2325, Dated 21-6-1986
10. S.O. 1174, Dated 9-5-1987
11. S.O. 1966, Dated 8-8-1987.

(कार्मिक और प्रशिक्षण विभाग)

आदेश

नई दिल्ली, 11 फरवरी, 1988

का.आ. 663—केन्द्रीय सरकार, दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, असम राज्य सरकार की सहमति से दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का भारतीय दंड संहिता (1860 का 45) की धारा 302, 307 और 326 तथा आतंकवादी और विध्वंसकारी क्रियाकलाप (निवारण) अधिनियम, 1987 (1987 का 28) की धारा 3 की उपधारा (2) के खंड (i) के अधीन दंडनीय अपराधों और उक्त अपराधों के संबंध में या उनसे संबंधित प्रयत्न दुष्प्रेरण और षड्यंत्र और श्री राजीव राजखोवा, उपाध्यक्ष, जोरहट जिला युवक कांग्रेस (ई) की हत्या के संबंध में अपराध संख्या 35/86 जो असम राज्य में जोरहट थाने में रजिस्टर किया गया था, के ही तथ्यों से उत्पन्न एक ही संव्यवहार अनुक्रम में किए गए किसी अन्य अपराध के अन्वेषण के लिए संपूर्ण असम राज्य पर विस्तार करती है।

[सं. 228/27/87-ए वीडी.-II]

जी० सीतारामन, अवर सचिव

(Department of Personnel and Training)

ORDER

New Delhi, the 11th February, 1988

S.O. 663.—In exercise of the powers conferred by sub-section (1) of section 5, read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government, with the consent of the Government of the State of Assam, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Assam for the investigation of offences punishable under sections 302, 307 and 326 of Indian Penal Code (45 of 1860), and clause (i) of sub-section (2) of section 3 of the Terrorists and Disruptive Activities (Prevention) Act, 1987 (28 of 1987) and attempts, abetments and conspiracies in relation to, or in connection with, the said offences and any other offence committed in the course of the same transaction arising out of the same facts in regard to Crime No. 35/86 registered at the Jorhat Police Station in the State of Assam relating to the murder of Shri Rajiv Rajkhowa, Vice-President of Jorhat District Youth Congress (I).

[No. 228/27/87-AVD. II]

G. SITARAMAN, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 31 जुलाई, 1987

(आयकर)

का. आ. 664.—आयकर अधिनियम 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखंड (iii) के अनुसरण में भारत सरकार, राजस्व विभाग की दिनांक 30-6-1987 की अधिसूचना संख्या 7383 फा० सं. 398/16/87-आ. का. ब.) में आंशिक संशोधन करते हुए, केन्द्रीय सरकार एतद्द्वारा उक्त अधिनियम के अंतर्गत केन्द्रीय सरकार के राजपत्रित अधिकारी श्री एन. पी. नारायणन को कर वसूली अधिकारी की शक्तियों का प्रयोग करने हेतु प्राधिकृत करती है।

2. यह अधिसूचना श्री एन. पी. नारायणन् द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण करने की तारीख से लागू होगी।

[सं. 7447/फा. सं. 398/16/87-आ०क०(ब)]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 31st July, 1987

(INCOME-TAX)

S.O. 664.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income Tax Act, 1961 (43 of 1961), and in partial modification of Notification of the Government of India in the Department of Revenue No. 7383 [F. No. 398/16/87-IT(B)] dated the 30th June, 1987, the Central Government hereby authorise Shri N. P. Narayanan, being a Gazetted Officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act, in place of Shri Kurvilla M. George.

2. This Notification shall come into force with effect from the date Shri N. P. Narayanan takes over charge as Tax Recovery Officer.

[No. 7447/F. No. 398/16/87-IT(B)]

नई दिल्ली, 8 सितम्बर, 1987

(आयकर)

का.आ. 665.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखंड (iii) के अनुसरण में और भारत सरकार, राजस्व विभाग की दिनांक

18-3-1987 की अधिसूचना सं. 7190 फा. सं. 398/22/85—आ. क. ब.) का अधिलंघन करते हुए, केन्द्रीय सरकार एतद्द्वारा उक्त अधिनियम के अंतर्गत केन्द्रीय सरकार के राजपत्रित अधिकारी श्री जी० आर. मघवल को कर वसूली अधिकारी की शक्तियों का प्रयोग करने हेतु प्राधिकृत करती है ।

2. यह अधिसूचना श्री जी. आर. मेघवाल द्वारा कर वसूली अधिकारी के रूप में कार्य-भार ग्रहण करने की तारीख 29-6-1987 से लागू होगी ।

[सं 7508 फा. सं. 398/21/87 आ.क.(ब)]

New Delhi, the 8th September, 1987

(INCOME-TAX)

S.O. 665.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notifiaction of the Government of India in the Department of Revenue No. 7190 [F. No. 398/22/85-IT(B)] dated the 18-3-1987, the Central Government hereby authorises Shri G. R. Meghwal, being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall be effective from 29-6-87 the date on which Shri G. R. Meghwal took over charge as Tax Recovery Officer.

[No. 7508/F. N. 398/21/87-IT(B)]

नई दिल्ली, 28 अक्तूबर, 1987

(आयकर)

का. आ. 666.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप-खण्ड (iii) के अनुसरण में, कर वसूली अधिकारी के रूप में श्री आर. के. गौतम की नियुक्ति से संबंधित वित्त मंत्रालय (राजस्व विभाग) द्वारा जारी की गई दिनांक 8 अप्रैल, 1987 की अधिसूचना सं. 7228 (फा. सं. 398/32/85—आ.क.(ब.) को एतद्द्वारा रद्द किया जाता है ।

2. यह अधिसूचना श्री आर. के. गौतम द्वारा कर वसूली अधिकारी के रूप में कार्यभार सौंपने की तारीख से लागू होगी ।

[सं. 7600 (फा. सं. 398/21/87-आ.क.(ब)]

New Delhi, the 28th October, 1987

(INCOME-TAX)

S.O. 666.—The notification issued in the Ministry of Finance (Department of Revenue) No. 7228 [. No. 398/32/85-IT(B)] dated the 8th April, 1987, in pursuance of sub-clause (iii) of Clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961) appointing Shri R. K. Gautam as Tax Recovery Officer is hereby cancelled.

2. This notification shall come into force with effect from the date Shri R. K. Gautam hand over charge as Tax Recovery Officer.

[No. 7600/F. No. 398/21/87-IT(B)]

नई दिल्ली, 30 दिसम्बर, 1987

(आयकर)

का.आ. 667—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप-खण्ड (iii) के अनुसरण में केन्द्रीय सरकार एतद्द्वारा नीचे स्तम्भ 4 में उल्लिखित अधिसूचनाओं का अधिलंघन /आंशिक संशोधन करते हुए नीचे स्तम्भ 3 में उल्लिखित कर-वसूली अधिकारियों के स्थान पर स्तम्भ 2 में उल्लिखित व्यक्तियों को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उक्त अधिनियम के अन्तर्गत कर-वसूली अधिकारियों की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है:—

क्रम सं.	उन व्यक्तियों के नाम जिन्हे कर वसूली अधिकारियो की शक्तियों का प्रयोग करने हेतु प्राधिकृत किया जाना है	उन कर वसूली अधिकारियों के नाम जिनके स्थान पर स्तम्भ 2 में उल्लिखित व्यक्तियों को प्राधिकृत किया जाना है	उन पुरानी अधिसूचनाओं की संख्या और तारीख जिनका अधिलंघन/आंशिक संशोधन किया जाना है
1	2	3	4
1.	श्री ओ. के. बाजपेयी	श्री एस. एम. एस. यादव	6481, दि. 31-10-85 फा. सं. 398/31/85—आ. क. (ब)
2.	श्री प्रकाश चन्द्र कुरील	श्री मणिराम	—तदैव—

2. यह अधिसूचना तत्काल लागू होगी तथा जहा तक स्तम्भ 2 में उल्लिखित व्यक्तियों का सबध है, कर वसूली अधिकारियो के रूप में उनके कार्यभार सम्भालने की तारीखों मे लागू होगी ।

[सं. 7672(फा. सं. 398/32/87—आ. क. (ब)]

बी. ई. अलैक्जेंडर, अवर सचिव

New Delhi, the 30th December, 1987

(INCOME-TAX)

S.O. 667.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby authorises the persons mentioned below column 2, being the Gazetted Officer of the Central Government, to exercise the powers of Tax Recovery Officers under the said Act in place of the Tax

Recovery Officers mentioned below in column (3) in supersession/Partial Modification of the Notification mentioned below in column 4 :

Sl. No.	Name of the persons to be authorised to exercise powers of Tax Recovery Officers	Name of Tax Recovery Officers in place of whom the persons mentioned in Column 2 are to be authorised	Old Notification No. and date to be superseded/Partially Modified
1	2	3	4
1.	Shri O.K. Bajpai	Shri S.M.S. Yadav	6481 dt. 31-10-85 F. No. 398/31/85-ITB
2.	Shri Prakash Chand Kureel	Shri Mani Ram	-do-

2. This Notification shall come into force with immediate effect and in so far as persons mentioned in column 2 from the dates they take over charges as Tax Recovery Officers.

[No. 767[illegible]F. No. 398/32/87-IT(B)]

B. E. ALEXANDER, Under Secy.

नई दिल्ली, 12 जनवरी, 1987

(आयकर)

का. आ. 668.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 193 के परन्तुक के खण्ड (iiख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा उक्त खण्ड के प्रयोजनार्थ भारतीय औद्योगिक विकास बैंक, बम्बई द्वारा जारी किए गए "11 % भा. औ. वि. बैं. बन्धपत्र 2002 (46वीं श्रृंखला)" को विनिर्दिष्ट करती है।

बशर्ते कि पृष्ठांकन अथवा वितरण द्वारा इस प्रकार के बंधपत्रों के अन्तरण के मामले में उक्त परन्तुक के अन्तर्गत लाभ तभी स्वीकार्य होगा यदि अन्तरिती इस प्रकार के अन्तरण से 60 दिन की अवधि के अन्दर रजिस्टर्ड डाक द्वारा भारतीय औद्योगिक बैंक को सूचित करे।

[सं. 7737/फा सं. 275/130/87-आ. का. (ब.)]

New Delhi, the 12th January, 1988

(INCOME-TAX)

S.O. 668.—In exercise of the powers conferred by clause (iib) of the proviso to section 193 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby specifies the "11 per cent—IDBI Bonds 2002 (46th Series)" issued by the Industrial Development Bank of India, Bombay, for the purposes of the said clause :

Provided that the benefit under the said proviso shall be admissible in the case of transfer of such bonds by endorsement or delivery, only if the transferee informs the Industrial Development Bank of India by registered post within a period of sixty days of such transfer.

[No 7737|F. No. 275|130|87-IT(B)]

आयकर

का. आ. 669.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 193 के परन्तुक के खण्ड (iiख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा उक्त खण्ड के प्रयोजनार्थ "इण्डियन पैट्रोकैमिकल्स कार्पोरेशन लि. बड़ोदरा, गुजरात द्वारा जारी किए गए "1987-88" आई. पी. सी. एल. 13% आरक्षित विमोच्य असंपरिवर्तनीय बंधपत्रों को विनिर्दिष्ट करती है।

बशर्ते कि पृष्ठांकन अथवा वितरण द्वारा इस प्रकार के बधपत्रों के अन्तरण के मामले में उक्त परन्तुक के अन्तर्गत लाभ तभी स्वीकार्य होगा यदि अन्तरिती इस प्रकार के अन्तरण से 60 दिन की अवधि के अन्दर रजिस्टर्ड डाक द्वारा इण्डियन पैट्रोकैमिकल्स कार्पोरेशन लि. को सूचित करे।

[स. 7738/फा. स. 275/137/87-आ. क. (ब.)]

(INCOME-TAX)

S.O. 669.—In exercise of the powers conferred by Clause (iib) of the proviso to section 193 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby specifies "1987-88 IPCL—13 per cent Secured Redeemable Non-convertible Bonds", issued by the Indian Petrochemicals Corporation Limited, Vadodara, Gujarat for the purpose of the said clause :

Provided that the benefit under the said proviso shall be admissible in the case of transfer of such bonds by endorsement or delivery, only if the transferee informs the Indian Petrochemicals Corporation Limited by registered post within a period of sixty days of such transfer.

[No. 7738|F. No. 275|137|87-IT(B)]

(आयकर)

का. आ. 670.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 193 के परन्तुक के खण्ड (iiख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा उक्त खण्ड के प्रयोजनार्थ हिन्दुस्तान फोटो फिल्म्स मैन्युफैक्चरिंग कंपनी लिमिटेड, अटकमुण्ड द्वारा जारी किए गए "13% आरक्षित विमोच्य असंपरिवर्तनीय (क श्रृंखला) एच. पी. एफ. बंधपत्रों" को विनिर्दिष्ट करती है।

बशर्ते कि पृष्ठांकन अथवा वितरण द्वारा इस प्रकार के बंधपत्रों के अन्तरण के मामले में उक्त परन्तुक के अन्तर्गत लाभ तभी स्वीकार्य होगा यदि अन्तरिती इस प्रकार के अन्तरण से 60 दिन की अवधि के अन्दर रजिस्टर्ड डाक द्वारा हिन्दुस्तान फोटो फिल्म्स मैन्युफैक्चरिंग कंपनी लि. को सूचित करे।

[सं. 7739/फा. स. 275/139/87-आ. क. (ब.)]

(INCOME-TAX)

S.O. 670.—In exercise of the powers conferred by clause (iib) of the proviso to section 193 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby specifies the "13 per cent Secured Redeemable Non-Convertible ('A' Series) HPF Bonds" issued by the Hindustan Photo Films

Manufacturing Company Limited, Ootacamund, for the purposes of the said clause;

Provided that the benefit under the said proviso shall be admissible in the case of transfer of such bonds by endorsement or delivery, only if the transferee informs the Hindustar Photo Films Manufacturing Company Limited by registered post within a period of sixty days of such transfer.

[No 7739/F. No. 275/139/87-IT(B)]

(आयकर)

का. आ. 671.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 193 के परन्तुक के खण्ड (iiख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा उक्त खण्ड के प्रयोजनार्थ आवास विकास वित्त निगम लि. बम्बई द्वारा जारी किए गए "12.5% आवास विकास वित्त निगम बन्धपत्र 1997 (ख)" को विनिर्दिष्ट करती है ।

बशर्ते कि पृष्ठांकन अथवा वितरण द्वारा इस प्रकार के बंधपत्रों के अन्तरण के मामले में उक्त परन्तुक के अन्तर्गत लाभ तभी स्वीकार्य होगा यदि अन्तरिती इस प्रकार के अन्तरण से 60 दिन की अवधि के अन्दर रजिस्टर्ड डाक द्वारा आवास विकास वित्त निगम लि. को सूचित करे ।

[सं. 7740/फा. स. 275/146/87-आ. क. (ब.)]

(INCOME-TAX)

S.O. 671.—In exercise of the powers conferred by clause (iib) of the proviso to section 193 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby specifies the "12.5 per cent HDFC Bonds-1997 (B)" issued by the Housing Development Finance Corporation Limited, Bombay, for the purpose of the said clause:

Provided that the benefit under the said proviso shall be admissible in the case of transfer of such bonds by endorsement or delivery, only if the transferee informs the Housing Development Finance Corporation Limited, by registered post within a period of sixty days of such transfer.

[No. 7740/F. No. 275/146/87-IT(B)]

(आयकर)

का. आ. 672.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 193 के परन्तुक के खण्ड (iiख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा उक्त खण्ड के प्रयोजनार्थ भारतीय निर्यात-आयात बैंक, बम्बई द्वारा जारी किए गए संलग्न सारणी में उल्लिखित बन्धपत्रों को विनिर्दिष्ट करती है ।

बशर्ते कि पृष्ठांकन अथवा वितरण द्वारा इस प्रकार के बन्ध-पत्रों के अन्तरण के मामले में उक्त परन्तुक के अन्तर्गत लाभ तभी स्वीकार्य होगा यदि अन्तरिती इस प्रकार के अन्तरण से 60 दिन की अवधि के अन्दर रजिस्टर्ड डाक द्वारा भारतीय आयात-निर्यात बैंक को सूचित करे ।

सारणी

बन्ध पत्रों का वितरण

1. 8.75 ./. एक्सिम बंधपत्र 2000 (प्रथम शृंखला)
2. 9.00 ./. एक्सिम बंधपत्र 2000 (द्वितीय शृंखला)
3. 9.75 ./. एक्सिम बंधपत्र 1999 (तृतीय शृंखला)
4. 11.00 ./. एक्सिम बंधपत्र 2002 (चतुर्थ शृंखला)

[सं. 7736/फा. स. 275/115/87-आ. क. (ब.)]

(INCOME-TAX)

S.O. 672.—In exercise of the powers conferred by clause (iib) of the proviso to section 193 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby specifies the bonds issued by the Export-Import Bank of India, Bombay, as mentioned in the Table hereto annexed, for the purpose of the said clause:

Provided that the benefit under the said proviso shall be admissible in the case of transfer of such bonds by endorsement or delivery, only if the transferee informs the Export-Import Bank of India by registered post within a period of sixty days of such transfer.

Table

Description Of Bonds

1. 8.75 per cent EXIM Bonds 2000 (First Series)
2. 9.00 per cent EXIM Bonds 2000 (Second Series)
3. 9.75 per cent EXIM Bonds 1999 (Third Series)
4. 11.00 per cent EXIM Bonds 2000 (Fourth Series)

[No. 7736/F. No. 275/115/87-IT(B)]

नई दिल्ली, 18 जनवरी, 1988

(आयकर)

का. आ. 673.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 193 के परन्तुक के खण्ड (iiख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा उक्त खण्ड के प्रयोजनार्थ आवास एवं शहरी विकास निगम लि. नई दिल्ली द्वारा जारी किए गए "3 वर्षीय हुडको पूंजीगत अभिलाभ ऋण पत्रों" को अधिसूचित करती है ।

[सं. 7741/फा. सं. 275/30/87-आ. क. (ब.)]

बा. नागराजन, निदेशक

(INCOME-TAX)

New Dehli, the 18th January, 1988

S.O. 673.—In exercise of the powers conferred by clause (iib) of the proviso to section 193 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "3 year HUDCO Capital Gains Debentures" issued by the Housing and Urban Development Corporation Ltd, New Delhi for the purpose of the said clause.

[No. 774/F. No 275/30/87-IT(B)]

B. NAGARAJAN, Director

नई दिल्ली, 13 जनवरी, 1988

का. आ. 674.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में केन्द्रीय उत्पादन शुल्क तथा सीमा शुल्क बोर्ड के निम्नलिखित कार्यालयों को, जिनके कर्मचारी वृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है:—

I. केन्द्रीय उत्पादन शुल्क एवं सीमा शुल्क कलक्टरी अहमदाबाद ।

(क) सीमा शुल्क मण्डल, अहमदाबाद ।

II सीमा शुल्क कलक्टरी, कोचीन ।

(क) सीमा शुल्क गृह, कोचीन ।

III. केन्द्रीय उत्पादन शुल्क एवं सीमा शुल्क कलक्टरी, हैदराबाद ।

(क) केन्द्रीय उत्पादन शुल्क मण्डल, वरंगल (हैदराबाद) ।

[सं. 1/88-प्रशा./फा.स ई-11017/3/86-प्रशा. 4क]

बाल कृष्ण जैन, अवर सचिव

New Delhi, the 13th January, 1988

S.O. 674.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (Use for Official Purposes of the Union) Rules, 1976 the Central Government hereby notifies the following offices of the Central Board of Excise and Customs, the staff whereof have acquired working knowledge of Hindi:—

I. Collectorate of Central Excise and Customs, Ahmedabad.—(a) Customs Division, Ahmedabad.

II. Collectorate of Customs, Cochin.—(a) Customs House Cochin.

III. Collectorate of Central Excise and Customs Hyderabad.—(a) Central Excise Division, Warngal (Hyderabad).

[No. 1/88-Administration/F No. F-11017/3/86-Ad.IV A]

B. K. JAIN, Under Secy.

(व्यय विभाग)

नई दिल्ली, 17 फरवरी, 1988

का. आ. 675.—भविष्य निधि अधिनियम, 1925 (1925 का 19) की धारा 8 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा निदेश देती है कि उक्त अधिनियम के उपबंध (धारा-6 को छोड़कर) राष्ट्रीय जल विकास अधिकरण, नई दिल्ली के कर्मचारियों के लाभों के लिए संस्थापित भविष्य निधि पर लागू होंगे ।

[सं. 4(2)-संस्था V/83-(I)]

(Department of Expenditure)

New Delhi, the 17th February, 1988

S.O. 675.—In exercise of the powers conferred by sub-section (2) of section 8 of the Provident Funds Act, 1925 (19 of 1925), the Central Government hereby directs that the provisions of the said Act (except Section 6) shall apply to the Provident Fund established for the benefit of the employees of the National Water Development Agency New Delhi.

[No. 4(2)-EV/83-(I)]

का. आ. 676.—भविष्य निधि अधिनियम, 1925 (1925 का 19) की धारा 8 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा निम्नलिखित लोक संस्थान को उक्त अधिनियम की अनुसूची में शामिल करती है:—

"राष्ट्रीय जल विकास अभिकरण, नई दिल्ली।"

[सं. 4(2)-संस्था V/83-(II)]

अंजली देवेशर, उप सचिव

S.O. 676.—In exercise of the powers conferred by sub-section (3) of section 8 of the Provident Funds Act, 1925 (19 of 1925), the Central Government hereby adds to the Schedule to the said Act the name of the following public institution, namely:—

'The National Water Development Agency, New Delhi".

[No. 4(2)-EV/83-(II)]

ANJALI DEVASHER, Dy. Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 10 फरवरी, 1988

का. आ. 677.—बैंककारी विनियम अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्द्वारा घोषणा करती है कि उक्त अधिनियम की धारा 19 की उपधारा (2) के उपबंध 31 दिसम्बर, 1989 तक की अवधि के वास्ते यूनाइटेड बैंक आफ इण्डिया, कलकत्ता पर उस सीमा तक लागू नहीं होंगे, जहां तक इस बैंक का सम्बन्ध, गिरवीदार (प्लेजी) के रूप में मैसर्स बंगाल हैल्थ एण्ड केमिकल वर्क्स लिमिटेड की प्रदत्त शेयर पूंजी की 30 प्रतिशत से अधिक की शेयर धारिता से है।

[संख्या 15/22/87-बी. ओ. III]

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 10th February, 1988

S.O. 677.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declare that the provisions of sub-section (2) of section 19 of the said Act shall not apply to United Bank of India, Calcutta for a period upto 31st December, 1989 in respect of its holding of shares in excess of 30 per cent of the said up share capital of M/s. Bengal Health and Chemical Works Ltd., as pledgee.

[No. 15/22/87-B.O. III]

का. आ. 678 :—बैंककारी विनियमन अधिनियम 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार भारतीय रिजर्व बैंक की उपधारा (2) के उपबन्ध यूनाइटेड बैंक आफ इंडिया, कलकत्ता पर दिनांक 13 नवम्बर, 1989 तक की अवधि के वास्ते लागू नहीं होंगे जहां तक इनका संबंध बंगाल इनेमल वर्क्स लिमिटेड, कलकत्ता की कुल चुकता शेयर पूंजी में गिरीवीदार (लेजी) के रूप में बैंक की उक्त कंपनी के 30 प्रतिशत से अधिक शेयरों की धारिता से है।

(संख्या एफ 5/1/87बी-ओ 111)

S.O. 678.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (2) of Section 19 of the said Act shall not apply to the United Bank of India, Calcutta, for a period upto the 13th November, 1989 in so far as they relates to its holding of the shares in M/s. Bengal Enamel Works Ltd., Calcutta, in excess of 30 per cent of paid up share capital of the said company as pledgee.

[No. 15/18/87-B.O. III]

नई दिल्ली, 12 फरवरी, 1988

का. आ. 679 :—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करके हुए केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिशों पर, एतद्द्वारा यह घोषणा करती है कि उक्त अधिनियम की तृतीय अनुसूची में फार्म "क" के साथ संलग्न टिप्पणी (च) के उपबन्ध निम्नलिखित बैंकों पर, जहां तक उनका सम्बन्ध 31 दिसम्बर, 1987 को उनके तुलनपत्रों से है, लागू नहीं होंगे।

1. इंडियन बैंक
2. इंडियन ओवरसीज बैंक
3. पंजाब नेशनल बैंक
4. सिंडिकेट बैंक
5. विजया बैंक

[संख्या 15/2/88-बी. ओ.-III]

New Delhi, the 12th February, 1988

S.O. 679.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendations of the Reserve Bank of India, hereby declares that the provisions of Note (f) appended to the Form 'A' in the Third Schedule to the said Act shall not apply to the following banks, namely :

(i) Indian Bank
(ii) Indian Overseas Bank
(iii) Punjab National Bank
(iv) Cyndicate Bank
(v) Vijaya Bank.

in respect of their balance sheet as at the 31st December, 1987.

[No. 15/2/88-B.O. III]

नई दिल्ली, 16 फरवरी, 1988

का. आ. 680 .—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करके हुए केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिशों पर, एतद्द्वारा यह घोषणा करती है कि उक्त अधिनियम की तृतीय अनुसूची में फार्म "क" के साथ संलग्न टिप्पणी (च) के उपबन्ध निम्नलिखित बैंकों पर, जहां तक उनका सम्बन्ध 31 दिसम्बर, 1987 को उनके तुलनपत्रों से है, लागू नहीं होंगे।

1 आंध्र बैंक
2. बैंक आफ बड़ौदा
3. बैंक आफ इण्डिया

[सं० 15/2/88-बी०ओ०III]
प्राण नाथ, अवर सचिव

New Delhi, the 16th February, 1988

S.O. 680.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendations of the Reserve Bank of India, hereby declares that the provisions of Note (f) appended to the Form 'A' in the Third Schedule to the said Act shall not apply to the following banks, namely :—

Andhra Bank
Bank of Baroda
Bank of India

in respect of their balance sheet as at the 31st December, 1987.

[No. 15/2/88-B.O. III]
PRAN NATH, Under Secy.

वाणिज्य मंत्रालय

नई दिल्ली, 19 मार्च, 1988

अधिसूचना

का.आ. 681 .—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम- 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा मैसर्स पेस्ट मोरटम (इंडिया) प्राइवेट लिमिटेड, न्यू अजन्ता सोसायटी पंचवटी कोलिन के पीछे, जामनगर-2, को निम्नलिखित मदों के धूमीकरण के लिये आभिकरण के रूप में एक वर्ष की अवधि के लिये मान्यता देती है :—

1 तेल रहित चावल की भूसी, और
2 हड्डियां का चूरा खुर और सींग

[फाइल सं. 5(3)/86- ई आई एण्ड ई पी]

MINISTRY OF COMMERCE

New Delhi, the 19th March, 1988

S.O. 681.—In exercise of powers conferred by sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises for a period of one year M/s. Pest Mortem (India) Private Limited, New Ajanta Society, Behind Pan Chavati College, Jamnagar-2 as an agency for the fumigation of following items :—

1. De-oiled Rice Bran ; and
2. Crushed Bones, Hooves and Horns.

[F. No. 5(3)/86-EI&EP]

का. आ. 682.—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, काजू की गिरियों का निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1986 का संशोधन करने के लिये निम्नलिखित नियम बनाती है, अर्थात् —

1. (1) इन नियमों का नाम काजू की गिरियों का निर्यात (क्वालिटी नियंत्रण और निरीक्षण) संशोधन नियम, 1988 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. काजू की गिरियों का निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1986 में, नियम 4 के स्थान पर निम्नलिखित रखा जायेगा अर्थात् :—

"4. निरीक्षण फीस—प्रति परेषण न्यूनतम 30 रुपये के अधीन रहते हुए, निर्यातकर्ता द्वारा अभिकरण को निम्नलिखित दर से फीस दी जायेगी, अर्थात् —

मदें	नियम 3(क) के आधार पर किये गये निरीक्षण के लिये (परेषणानुसार निरीक्षण)	नियम 3 (ख) के आधार पर किये गये निरीक्षण के लिये (प्रक्रियागत क्वालिटी नियंत्रण प्रणाली)
	(प्रति कि. ग्राम या उस के भाग के लिये पैसे)	(प्रति कि. ग्राम या उस के भाग के लिये पैसे)
1	2	3	4
(1) काजू की गिरियों के सभी ग्रेड (भुनी हुई तथा नमक लगी हुई काजू की गिरियों के अतिरिक्त)		32	16
(2) भुनी हुई और नमक लगी हुई काजू की गिरियां		49	25

[फा सं 6(25)/86-ई आई एण्ड ई पी]

पाद टिप्पण :—मूल नियम का आ 783 तारीख 1-3-1986 द्वारा प्रकाशित तथा का आ 905(ई) 1986 द्वारा संशोधित किये गये थे।

S. O. 682.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules to amend the Export of Cashew Kernels (Quality Control and Inspection) Rules, 1986, namely:—

1. (1) These rules may be called the Export of Cashew Kernels (Quality Control and Inspection) Amendment Rules, 1988

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Export of Cashew Kernels (Quality Control and Inspection) Rules, 1986, for rule 4, the following rule shall be substituted, namely:—

"4. Inspection fee—Subject to a minimum of Rs. 30 for each consignment a fee at the following rates shall be paid by the exporter to the Agency as inspection fee, namely:—

Items	For inspection carried out on the basis of rule 3(a) (Consignmentwise Inspection)	For inspection carried out on the basis of rule 3(b) (In-process Quality Control System)
	(Paise per kg. or part thereof)	(Paise per kg. or part thereof)
1	2	3	4
(1)	All grades of Cashew Kernels (Other than Roasted and Salted Cashew Kernels)	32	16
(2)	Roasted and Salted Cashew Kernels	49	25

[F. No. 6(25)/86-EI&EP]

Footnote: Principal rules were published vide S.O. 783 dt. 1-3-1986 and amended by S.O. 905(E) of 1986.

का आ 683.—केन्द्रीय सरकार, मछली तथा मछली से बनी वस्तुओं के निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1977 के नियम 5 के साथ पठित निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत के राजपत्र, भाग-2, खंड-3, उप-खंड-(ii) तारीख 17 जून, 1987 में प्रकाशित भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना सं का आ 1737 तारीख 17 जून, 1987 में निम्नलिखित संशोधन करती है।

उक्त अधिसूचना की सारणी में, क्रम सं 4 तथा उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित क्रम सं तथा प्रविष्टियां प्रतिस्थापित की जायेंगी, अर्थात् —

अधिकरण जिसके विनिश्चय के विरुद्ध अपील की गई है (और ऐसे क्षेत्र जिन में निरीक्षण किया जाता है)	ऐसे व्यक्ति जिनसे विशिष्ट विशेषज्ञों का पैनल गठित करने वाले व्यक्ति जिस की अपील हो सकती है, बना है
(1)	(2)
"4. अभिकरण-कलकत्ता असम, बिहार, नागालैंड, मणिपुर, त्रिपुरा मेघालय, उड़ीसा, पश्चिमी बंगाल, अरुणाचल प्रदेश और मिजोरम राज्यों तथा अण्डमान और निकोबार द्वीप समूह के संघ राज्य क्षेत्रों में निरीक्षण करने के लिये	1. डा. ए. एन. बोस, आचार्य सूक्ष्म जैविकी विभाग जादवपुर विश्वविद्यालय, जादवपुर और सलाहकार कृषि अभियांत्रिकी विभाग, इंडियन इंस्टीट्यूट आफ टेक्नोलोजी खड़कपुर—अध्यक्ष
	2. मत्स्य निदेशक, उड़ीसा या पश्चिमी बंगाल सरकार,

1	2
	3. उपनिदेशक, समुद्री उत्पाद, निर्यात विकास प्राधिकरण कलकत्ता 4. अध्यक्ष समुद्री उत्पाद पूर्वी भारत के निर्यातकर्ताओं का निगम, पश्चिमी बंगाल, 5. अध्यक्ष , सीफूड एक्सपोर्टस, एसोसिएशन आफ उड़ीसा, 6. श्री ए.के. सैन, कलकत्ता सीफूड 10, क्रुकड़ लेन, कलकत्ता-69 7. श्री एस.आर. बैनर्जी, एसोसिएटिड इंटरनेशनल कार्पो- रेशन 1, गार्डन रीच रोड, डाईघाट, कलकत्ता-23 8. असदस्य संयोजक संयुक्त निदेशक या उपनिदेशक निर्यात निरीक्षण अभिकरण, कलकत्ता।"

[फा.सं. 6(4)/87-ई.आई.एण्ड ई.पी.]

S.O. 683.—In exercise of the powers conferred by sub-section (4) of section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), read with rule 5 of the Export of Fish and Fishery Products (Quality Control and Inspection) Rules, 1977, the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Commerce No. S.O. 1737 dated the 17th June, 1978, published in the Gazette of India, Part II, Section 3, Sub-Section (ii) dated the 17th June, 1978.

In the Table to the said notification, for serial number 4 and entries relating thereto, the following serial number and entries shall be substituted, namely :—

Authority against whose decision appeal lies and the areas in which inspection is carried	Persons constituting the panel of Experts to which appeal lies
(1)	(2)
"4. Agency-Calcutta: carrying out inspection in the areas covered by the states of Assam, Bihar, Nagaland, Manipur, Tripura, Meghalaya, Orissa, West Bengal, Arunachal Pradesh and Mizoram and the Union territory of Andaman and Nicobar Islands.	1. Dr. A.N. Bose, Professor, Department of Microbiology, Jadavpur University, Jadavpur and Advisor Aquaculture Engineering Department, Indian Institute of Technology, Kharagpur —Chairman. 2. Director of Hisheries. Government of Orissa or West Bengal. 3. Deputy Director, Marine Products, Export Development Authority, Calcutta. 4. President, The Marine Products. Exporters 'Association of Eastern India, West Bengal. 5. President, Seafood Exporters Association of Orissa, Orissa. 6. Shri A.K. Son, Calcutta Seafoods, 10, Crocked Lane. Calcutta-69. 7. Shri S.R. Banerjee, Associated International Corporation, 1, Garden Reach Road, Daighat, Calcutta-23. 8. Non-Member Convenor Joint Director or Deputy Director, Export Inspection Agency, Calcutta."

[File No. 6(4)/87-EL&EP]

नई दिल्ली, 19 मार्च, 1988

का.आ. 684—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 3 के साथ केन्द्रीय सरकार एतद्द्वारा वाणिज्य मंत्रालय की अधिसूचना सं.का.आ. 2407 तारीख 3 सितम्बर, 1987 को भारत के राजपत्र में प्रकाशित भाग-2, खंड-3, उपखंड-(ii) तारीख 3-9-1987 को संशोधन करने के लिये निम्नलिखित नियम बनाती है :—

क्रम सं. 11 पर दिए गए प्रविष्टि के लिये निम्नलिखित प्रतिस्थापित किया जायेगा :

"14. अध्यक्ष, परिषद् के लिये चमड़ा निर्यात, मद्रास

क्रम सं. 16 पर दिए गए प्रविष्टि के पश्चात् निम्नलिखित जोड़ा जायेगा :

"17 निदेशक, एस.जी.एस. इंडिया प्राइवेट लिमिटेड, बम्बई ।

18. मुख्य कार्यपालक, मैसोडेट प्राइवेट लिमिटेड, बंगलोर ।

19. मुख्य कार्यपालक, एसकेप (इंडिया) प्राइवेट लिमिटेड, कलकत्ता।"

[फाइल सं. 3(90)/85-ई आई एण्ड ई पी]

एन.एस. हरिहरन, निदेशक

New Delhi, the 19th March, 1988

S.O. 684.—In exercise of the powers conferred by Section 3 of the Export (Quality) Control and Inspection) Act, 1963 (22 of 1963) read with Rule 3 of the Export (Quality Control and Inspection) Rules, 1964, the Central Government hereby makes the following amendment in the Notification No. S.O. 2407 dated 3rd September, 1987 published in the Gazette of India, Part-II, Section-3, Sub-section (ii) dated 3rd September, 1987 of Ministry of Commerce.

For the entry appearing at S. No. 14, the following shall be substituted:

"14. Chairman, Council for Leather Exports, Madras."

After the entry appearing at S. No. 16, the following shall be added:

"17. Director, S. G. S. India Pvt. Ltd., Bombay.

18. Chief Executive, Mysodet Pvt. Ltd, Bangalore.

19. Chief Executive, Eskaps (India) Pvt Ltd., Calcutta."

[F. No. 3(90)/85-EI&EP]

N. S. HARIHARAN, Director

(मुख्य नियंत्रक, आयात-निर्यात का कार्यालय)

नई दिल्ली, 9 जनवरी, 1988

आदेश

का. आ. 685:—मैसर्स बाइफोरा क्लौक इंडस्ट्री लि. को मुफ्त विदेशी मुद्रा के अंतर्गत नए/पुराने पूंजीगत माल के आयात के लिए 25,48,400/-रुपये (पच्चीस लाख अठतालीस हजार चार सौ रुपये) (डी. एम. 650,349) का एक आयात लाइसेंस संख्या पी/सी. जी./2095206 दिनांक 6-4-84 दिया गया था।

फर्म ने, इस आधार पर कि मूल विनियम नियंत्रण प्रति खो गई अथवा अस्थानस्थ हो गई है, उपर्युक्त लाइसेंस की विनियम नियंत्रण प्रति की अनुलिपि प्रति जारी करने के लिए आवेदन किया है। आगे यह भी बताया गया है कि लाइसेंस की विनियम नियंत्रण प्रति सहायक कलक्टर सीमा-शुल्क, इन्लैण्ड कन्टेनर डिपो, कन्टोनमन्ट रेलवे स्टोर, बैंगलोर के पास पंजीकृत कराई गई थी और विनिमय नियंत्रण प्रति का 25,11,900/-रुपये के मूल्य तक प्रयोग किया जा चुका है।

2. अपने तर्क के समर्थन में, लाइसेंसधारी ने नोटैरी पब्लिक, बैंगलोर के सम्मुख विधिवत शपथ लेकर स्टाम्प पेपर पर एक शपथ पत्र दाखिल किया है। तदनुसार, मैं संतुष्ट हूं कि आयात लाइसेंस सं. पी/सी. जी./2095206 दिनांक 6-4-84 की मूल विनियम नियंत्रण प्रति खो गई/अस्थानस्थ हो गई है। यथा-संशोधित आयात (नियंत्रण) आदेश 1955 दिनांक 7-12-1955 की उपधारा 9(गग) के अंतर्गत प्रदत्त अधिकारों का प्रयोग करते हुए मैसर्स बाइफोर क्लोक इण्डस्ट्री लि. को जारी की गई मूल वि. नि. प्र. सं. पी./सी. जी./2095206 दिनांक 6-4-84 को एतद्द्वारा रद्द किया जाता है।

3. पार्टी को अलग से 36500/-रुपये (डी. एम. 9316) के मूल्य की उक्त लाइसेंस की वि. नि. प्रति की अनुलिपि प्रतिजारी की जा रही है।

[सं. 1684/82/13/सी. जी.-I/759]

(Office of the Chief Controller of Imports and Exports)

ORDER

New Delhi, the 9th February, 1988

S.O. 685.—M/s. Bifora Clock Industry Ltd. were granted an Import Licence No. P/CG/2095206 dated 6-4-84 for Rs. 25,48,400 (DM. 650,349) (Rupees Twenty Five Lakhs Forty Eight Thousand and Four Hundred only) for import of New/Second Hand C.G. under Free Foreign Exchange.

The firm has applied for issue of Duplicate copy of Exchange Control copy of the above mentioned licence on the ground that the original Exchange Control copy of the licence has been lost or misplaced. It has further been stated that the Exchange Control copy of the licence was registered with Asstt. Collector of Customs, Inland Container Depot Contonment Railway Store, Bangalore and the value of Exchange Control copy has been utilised for a value of Rs. 25,11,900.

2. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Notary Public Bangalore. I am according satisfied that the original Exchange Control copy of Import Licence No. P/CG/2095206 dated 6-4-84 has been lost or misplaced by the firm. In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order, 1955 dated 7-12-1955 as amended the said original Exchange Control copy No. P/CG/2095206 dated 6-4-84 issued to M/s. Bifora Clock Industry Ltd. is hereby cancelled.

3. A duplicate Exchange Control copy of the said licence is being issued to the party separately for value of Rs. 36,500 (DM. 9316).

[No. 1684/82/13/CG. I/759]

आदेश

नई दिल्ली, 15 फरवरी, 1988

का.आ. 686.—मैसर्स अमरलारा आफसैट लि., नई दिल्ली को मुफ्त विदेशी विनिमय के अन्तर्गत पूंजीगत माल के आयात के लिए 1,20,29,500/- रुपये (एक करोड़ बीस लाख उन्तीस हजार एवं पांच सौ रुपये मात्र) का एक आयात लाइसेंस सं. पी/सी जी/2099320, दिनांक 16-9-85 जारी किया गया था।

उक्त फर्म ने सीमाशुल्क/विनियम नियंत्रण प्रयोजनों के लिए ऊपर उल्लिखित लाइसेंस की अनुलिपि प्रति इस आधार पर जारी करने के लिए आवेदन किया है कि लाइसेंस की मूल सीमाशुल्क/विनियमन नियंत्रण प्रति खोई/या अस्थानस्थ हो गई है। पार्टी ने आगे यह भी बताया है कि लाइसेंस की सीमाशुल्क प्रयोजन/विनियमन नियंत्रण प्रति किसी भी सीमाशुल्क प्राधिकारी के पास पंजीकृत नहीं कराई गई थी और इस प्रकार से सीमा-शुल्क प्रयोजन प्रति के मूल्य का बिल्कुल भी उपयोग नहीं किया गया है।

2. अपने तर्क समर्थन में लाइसेंसधारक ने नोटैरी पब्लिक, ग्रेटर बम्बई के समक्ष विधिवत् शपथ लेकर स्टाम्प पेपर पर एक शपथपत्र दाखिल किया है। तदनुसार, मैं, संतुष्ट हूं कि आयात लाइसेंस संख्या पी/सी जी/2099320, दिनांक 19-6-85 की मूल सीमाशुल्क प्रयोजन/विनियम नियंत्रण प्रति फर्म द्वारा खो अथवा अस्थानस्थ हो गई है यथा संशोधित आयात (नियंत्रण) आदेश, 1955 दिनांक, 16-9-85 की उप धारा 9(गग) के अंतर्गत प्रदत्त अधिकारों का प्रयोग करते हुए मैसर्स अमरलारा आफसैट लि., नई दिल्ली को जारी उक्त मूल सीमाशुल्क प्रयोजन/मद्रा विनियम नियंत्रण प्रति सं. पी/सी/जी/2099320, दिनांक 16-9-85 को एतद्द्वारा रद्द किया जाता है।

3. पार्टी को उक्त लाइसेंस की अनुलिपि सीमाशुल्क प्रयोजन/विनियम नियंत्रण प्रति को अलग से जारी किया जा रहा है।

[सं. 562/12/84-85/सीजी-1/772]

पाल बैक,
उप मुख्य नियंत्रक, आयात-निर्यात
कृते मुख्य नियंत्रक, आयात-निर्यात

ORDERS

New Delhi, the 15th February, 1988

S.O. 686.—M/s. Amartara Offset Ltd., New Delhi were granted an Import Licence No. P/CG/2099320 dated 16-9-85 for Rs. 1,20,29,500 (Rupees One Crore Twenty Lakhs Twenty Nine Thousand and Five Hundred only) for import of Capital Goods under Free Foreign Exchange.

The firm has applied for issue of Duplicate copy of Customs Purposes/Exchange Control copy of the above mentioned licence on the ground that the original Customs Purposes/Exchange Control copy of the licence has been lost or misplaced. It has further been stated that the Customs Purposes/Exchange Control copy of the licence was not registered with any Customs Authority and as such the value of Customs Purpose copy has not been utilised at all.

2. In support of the contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Notary Public Greater Bombay. I am accordingly satisfied that the original Customs Purposes/Exchange Control copy of Import Licence No. P/CG/2099320 dated 16-9-85 has been lost or misplaced by the firm. In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order, 1955 dated 7-12-1955 as amended the said original Customs Purposes/Exchange Control copy No. P/CG/2099320 dated 16-9-85 issued to M/s. Amartara Offset Ltd., New Delhi is hereby cancelled.

3. A duplicate Customs Purposes Exchange Control copy of the said licence is being issued to the party separately.

[No. 562/12/84-85/CG.I/772]

PAUL BECK, Dy. Chief Controller of Imports and Exports
for Chief Controller of Imports & Exports

आदेश

नई दिल्ली, 9 फरवरी, 1988

का.आ. 687.—मैसर्स प्रोजेक्ट्स एंड डवलपमेंट इंडिया लि. को मुक्त विदेशी मुद्रा के अधीन सभी सम्पूर्ण उप-साधित्रों और अतिरिक्त पुर्जों सहित ड्राइव मोटर के साथ सिथेसिस गैस कम्प्रेशर के आयात के लिए 1,92,79,300/- रुपये (केवल एक करोड़ बानवें लाख उन्यासी हजार तीन सौ रुपये) मूल्य का एक आयात लाइसेंस सं.—आई/सी जी/2041397/सी/एक्स एक्स/96/एच/सी जी-2 एल एस, दिनांक 11-9-85 दिया गया था। पार्टी ने उपर्युक्त लाइसेंस की सीमाशुल्क प्रयोजन प्रति की अनुलिपि प्रति के लिए इस आधार पर आवेदन किया है कि लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति खो गई या अस्थानस्थ हो गई है। आगे यह भी कहा गया है कि सीमाशुल्क प्रयोजन प्रति सीमाशुल्क प्राधिकारी बम्बई के पास पंजीकृत करवाई गई थी और 30,70,622 रुपये शेष छोड़ते हुए 1,62,08,628 रुपये तक उसका उपयोग किया जा चुका था।

2. अपने तर्क के समर्थन में लाइसेंसधारी ने नोटरी पब्लिक, ग्रेटर बम्बई के सामने विधिवत् शपथ लेते हुए स्टाम्प कागज पर एक शपथपत्र दाखिल किया है तदनुसार, मैं संतुष्ट हूं कि आयात लाइसेंस सं.-आई/सी जी/2041397 दिनांक 11-9-1985 की मूल सीमाशुल्क प्रयोजन प्रति फर्म द्वारा खो गई या अस्थानस्थ हो गई है। यथा-संशोधित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 की धारा 9 (गग) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए मैसर्स प्रोजेक्ट्स एंड डवलपमेंट को जारी किया गया आयात लाइसेंस सं. आई/सी जी/2041397 दिनांक 11-9-1985 एतद्द्वारा रद्द किया जाता है।

3. पार्टी को उक्त लाइसेंस की अनुलिपि सीमाशुल्क प्रयोजन प्रति अलग से जारी की जा रही है।

[स.सी.जी. 2/डी ए ई/4/85-86/992]

शफात अहमद,
उप मुख्य नियंत्रक, आयात-निर्यात

ORDER

New Delhi, the 9th February, 1988

S.O. 687.—M/s. Projects and Development India Ltd., were granted an import licence No. I/CG/2041397/c/xx/96/H/85/CGII/LS dated 11-9-1985 for Rs. 1,92,79,300/- (Rupees One Crore ninety two lakhs seventy nine thousand and three hundred only) for import of Sythesis Gas Compressor alongwith Drive motor and Complete with all accessories and spares under Free Foreign Exchange. The firm has applied for issue of Duplicate copy of Customs Purposes copy of the above mentioned licence on the ground that the original Customs Purpose copy of the licence has been lost or misplaced. It has further been stated that the Customs Purposes copy of the licence was registered with Customs Authority, Bombay and has been utilised to the extent of Rs. 1,62,08,628 thus leaving a balance of Rs. 30,70,622.

2. In support of their contention the licensee has filed an affidavit on stamped paper duly sworn in before a Notary Public Greater Bombay. I am accordingly satisfied that the original Customs Purposes copy of import licence No. I/CG/2041397 dated 11-9-1985 has been lost or misplaced by the firm. In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order, 1955 dated 7-12-1955 as amended the said original Customs Purposes copy No. I/CG/2041397 dated 11-9-1985 issued to M/s. Projects and Development is hereby cancelled.

3. A duplicate Customs Purposes copy of the said licence is being issued to the party separately.

[No. CGII/DAE/4/85-86/992]

SHAFAAT AHMED, Dy. Chief Controller
of Imports & Exports.

उद्योग मंत्रालय

(रसायन और पेट्रोरसायन विभाग)

शुद्धि-पत्र

नई दिल्ली, 12 फरवरी, 1988

का. आ. 688 :—निम्नलिखित अनुसूची में रकाना 1 से 9 में लिखे हुए शब्दों और संख्या भारत सरकार की अधिसूचना नं. का. आ. 27 तारीख 17 दिसम्बर, 1987 भारत का राजपत्र भाग II, खंड 3 (ii), 2 जनवरी, 1988 पृष्ठ 23 से 34 प्रसारित हुए अधिसूचना की अनुसूची में छपे है इससे वजह निम्नलिखित अनुसूची रकाना 10 से 18 में लिखे हुए शब्दों और संख्या पढ़ना

प्रसारित किया गया वर्णन

अ. नं.	गाव का नाम	तहसील	जिला स.	नं.	हि न.	गट नं.	क्षेत्र	
							हे.	आर.
1	2	3	4	5	6	7	8	9
1	बेणसे	पेण	रायगड	53	1 ए } 2 पी		—	12.5
				53	2 }			
8	सांबरी	अलिबाग	”	47	2 पी	197	—	14.9
12	कूर्डूस	”	”	24 सी	1 पी	108	—	0.3
15	वाघविरा	”	”	3	4 पी	1521	—	1.7
24	नवखार रायदे	”	”	9/7	0 पी		—	6.0
26	चरी	”	”	7	9 (1) पी		—	3.0
				9	9(2)		—	

प्रसारित होने का वर्णन

1 अ नं.	गाव का नाम	तहसील	जिला सं.	नं.	हि नं.	गट नं.	क्षेत्र	
							हे.	आर
10	11	12	13	14	15	16		17
				53	1ए 2 } पी.		—	
1	बेणसे	पेण	रायगड	53	1 ब }			12.5
8	सांबरी	अलिबाग	”	47	3 पी		—	14.9
12	कूर्डूस	”	”	24 सी	0 पी		—	0.3
15	वाघीविरा	”	”	3	1/2 पी		—	1.7
24	नवखार रायंदे	”	”	8	0 पी		—	6.0
				7			—	
26	चरी	”	”	7	9(1) पी }		—	3.0
				7	9(2) }			

[सं. 34027/1/87-I]

MINISTRY OF INDUSTRY

(Department of Chemicals & Petrochemicals)

CORRIGENDUM

New Delhi, the 12th February, 1988

S. O. 688 :—Read words and figures shown in columns 1 to 9 of the Schedule given below appearing in the Schedule annexed to the Government of India Notification No. S.O. 27 dated the 17th December 1987 published in the Gazette of India Part-II, Section 3, Sub Section (ii), dated January 2, 1988 at pages 34 to 44 as "words and figures shown in column 10 to 18 of the Schedule given below" :

SCHEDULE

Sr. No.	Name of Village	Tahsil	District	Survey No.	Hissa No.	Gat No.	Area H.	Area R
1	2	3	4	5	6	7	8	9
1.	Bendse	Pen	Raigad	11 11 11	1A 1B } (P) 2B		—	3-5
8	Sambri	Alibag	,,	43	1 (P)	183	—	22.7
	,,	,,	,,	47	5 (P)	197	—	07.6
15	Waghvira	,,	,,	5	2	26	—	00
	,,	,,	,,	6	2 (P)	33	—	01.
16	Pitkiri	,,	,,	70	1 (P)	298	—	00
	,,	,,	,,	68	5 (P)	—	—	13

Sr. No.	Name of Village	Tahsil	District	Survey No.	Hissa No.	Gat No.	Area H.	Area R.
10	11	12	13	14	15	16	17	18
1	Bendse	Pen	Raigad	11 11 11	1A 1B } (P) 2B		—	33.5
8	Sambri	Alibag	Raigad	44	1 (P)	183	—	22.7
	,,	,,	,,	47	5 (P)	197	—	9.6
15	Waghvira	,,	,,	5	2 (P)	26	—	0.2
	,,	,,	,,	6	2 (P)	33	—	1.7
16	Pitkiri	,,	,,	70	1 (P)	298	—	0.2
	,,	,,	,,	68	5 (P)	—	—	13.1

[No. 34027/1/87-PC-III]

का. आ. 689 :—यतः पेट्रोलियम और खनिज पाईप लाईन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा 1 के अधीन भारत सरकार के उद्योग मंत्रालय, रसायन और पेट्रोरसायन विभाग की अधिसूचना का. आ. 2113 तारीख 6 अगस्त, 1987 और दुरुस्ती पत्रक का. आ. 2908 तारीख 12 अक्तूबर, 1987 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाईप लाईन को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय कर दिया था।

और अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) धारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार भारत सरकार में विहित होने के बजाए इंडियन पेट्रोकेमिकल्स कार्पोरेशन लिमिटेड महाराष्ट्र गैस क्रैकर कम्प्लेक्स विभाग, विलेपार्ले (प) मुंबई में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख से निहित होगा।

अनुसूची

पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 की धारा 6 की उपधारा (1) अधिसूचना क्रमांक तारीख 1988 की अनुसूची

गांव का नाम	तहसील	जिला	सर्वे नंबर	हिस्सा नंबर	गट नम्बर	क्षेत्र	
						हे	आर
गुंजिस	अलिबाग	रायगड	9	4 पी		0	20—9
			9	6 पी		0	04—3
			9	5 पी		0	18—9
			22	3 पी		0	15—4
			22	2 पी		0	00—2
			53	6 पी		0	02—5
			53	5 पी		0	17—7
			53	4 पी		0	08—6
			20	1 डी पी		0	01—2
			20	3 पी		0	21—2
			20	4 पी		0	08—6
			18 अ	13 पी		0	02—7
			18 अ	11 पी		0	00—7

[सं. 34027/1/87- पी. सी. -III]

S.O. 689.—Whereas by a notification of Government of India in the Ministry of Industry (Department of Chemicals & Petrochemicals) No. S.O. 2113 dated the 6th August, 1987 and Erratum No. (1) S.O. 2908 dated the 12th October, 1987 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act submitted report to the Government.

And further the Central Government has after considering the said report, decided to acquire the right of user in the Lands specified in the schedule appended to this notification.

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines.

And further, in exercise of the powers conferred by Sub-section 4 of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on the date of the publication of this declaration in the Indian Petrochemicals Corporation Limited, Maharashtra Gas Cracker Complex Division, Vile Parle (W), Bombay free from all encumbrances.

SCHEDULE

Schedule o tNotification under Section 6(1) of the Petroleum and Minerals Pipe Lines (Acquisition of Right of user in land) Act, 1962

Number of Village	Tahsil	District	Survey No.	Hissa No.	Gat No.	Area H.	Area R.
Gunjis	Alibag	Raigad	9	4 (P)		0	20-9
			9	6 (P)		0	04-3
			9	5 (P)		0	18-9
			22	3(P)		0	15-4
			22	2 (P)		0	00-2
			53	6(P)		0	02-5
			53	5 (P)		0	17-7
			53	4(P)		0	08-6
			20	1 D(P)		0	01-2
			20	3 (P)		0	21-2
			20	4 (P)		0	08-6
			18A	13 (P)		0	02-7
			18A	11 (P)		0	00-7

[No. 34027/1/87-PC.III]

का. आ. 690 :—यतः पेट्रोलियम और खनिज पाईप लाईन भूमि के उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा 1 के अधीन भारत सरकार के उद्योग मंत्रालय रसायन और पेट्रोरसायन विभाग की अधिसूचना का. आ. 2756 तारीख 28 सितम्बर, 1987 और दुरुस्ती पत्रक का. आ. 3343 तारीख 1987 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूचि में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाईप लाईन को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा 1 के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा 1 द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाईन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा 4 द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार भारत सरकार में विहित होने के बजाए इंडियन पैट्रोकेमिकल्स कॉर्पोरेशन लिमिटेड महाराष्ट्र गैस क्रेकर काम्प्लेक्स विभाग विलेपार्ले व मुंबई में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख में निहित होगा।

अनुसूची

पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 की धारा (6) की उपधारा (1) अधिसूचना क्रम सं. तारीख 1988 की अनुसूची

गांव का नाम	तहसील	जिला	सर्वे नंबर	हिस्सा नंबर	गट नम्बर	क्षेत्र हे	क्षेत्र आर
दिघोडे	उरण	रायगड	33	6 पी		0	00-2
			35	4 पी		0	14-4
			35	1 पी		0	00-5
			35	5 पी		0	09-8

	35	2 पी	0–04–3
	35	3 पी	0–00–2
	34	1 पी	0–02–2
	34	2 पी	0–04–8
	34	3 अ 3 ब पी	0–12–6
	34	4 पी	0–32–1
	108	5 पी	0–02–7
	108	6 पी	0–08–1
	108	7 पी	0–01–7
	108	11 पी	0–01–2
	108	12 पी	0–00–2
	108	13 पी	0–02–5
	109 अ	2 पी	0–00–2
	109 अ	4 अ पी	0–01–5
	109 अ	4 ब पी	0–00–5
	109 अ	4 क पी	0–09–1
	109 अ	4 फ पी	0–02–7
	108	15 पी	0–01–5
	3	4 ए (पी)	0–05–0
कौली	1	2 ए (पी)	0–17–4
	1	4 (पी)	0–07–3

[सं. 34027/1/87-पी.सी.-III]

S.O. 690.—Whereas by a notification of Government of India in the Ministry of Industry (Department of Chemicals & Petrochemicals) No. S.O. 2756 dated the 28th September, 1987 and Erratum No. 3343 dated the Nil 1987 under sub-section (1) of section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule apperded to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act submitted report to the Government.

And further the Central Government has after considering the said report, decided to acquire the right of user in the Lands specified in the schedule appended to this notification

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines

And further in exercise of the powers conferred by Sub-section 4 of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Petrochemicals Corporation Limited, Maharashtra Gas Cracker Complex Division Vile Parle (W), Bombay free from all encumbrances.

SCHEDULE

Schedule to Notification under Section 6(1) of the Petroleum and Minerals Pipe Lines (Acquisition of Right of user in land) Act, 1962.

Name of Village	Tahsil	District	Survey No.	Hissa No.	Gat No.	Area H.	Area R.
Dighode	Uran	Raigad	33	6 (P)		0	00-2
			35	4 (P)		0	14-4
			35	1 (P)		0	00-5
			35	5 (P)		0	09-8
			35	2 (P)		0	04-3

			35	3 (P)	0-00-2
			34	1 (P)	0-02-2
			34	2 (P)	0-04-8
			34	3A, 3B (P)	0-12-6
			34	4 (P)	0-32-1
			108	5 (P)	0-02-7
			108	6 (P)	0-08-1
			108	7 (P)	0-01-7
			108	11 (P)	0-01-2
			108	12 (P)	0-00-2
			108	13 (P)	0-02-5
			109A	(2) (P)	0-00-2
			109A	4A(P)	0-03-5
			109A	4B(P)	0-00-5
			109A	4C(P)	0-09-1
			109A	4F(P)	0-02-7
			108	15(P)	0-01-5
Kauli Belondakhar	Uran	Raigad	3	4A(P)	0-05-0
			1	2A(P)	0-17-4
			1	4(P)	0-07-3

[No. 34027/1/87-P.C.-III]

का.आ. 691.—यतः पेट्रोलियम और खनिज पाईप लाईन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उद्योग मंत्रालय (रसायन और पैट्रोरसायन विभाग) की अधिसूचना का.आ. 2755 तारीख 28 सितम्बर, 1987 और दुरस्ती पत्रक का.आ 3345 तारीख—1987 और का आ. 196 तारीख 7 जनवरी, 1988 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाईप लाइन को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा 4 द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार भारत सरकार में विहित होने के बजाय इंडियन पेट्रोकेमिकल्स कार्पोरेशन लिमिटेड द्वारा महाराष्ट्र गैस क्रेकर काम्पलेक्स विभाग विलेपार्ले मुंबई में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की तारीख में निहित होगा।

अनुसूची

पेट्रोलियम और खनिज पाईप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 की धारा 6 की उपधारा (1) अधिसूचना क्रमांक तारीख 1988 की अनुसूची

अनु.	गांव का नाम	तहसील	जिला	सर्वे नं.	हिस्सा नं.	गट नम्बर	क्षेत्रा हे	क्षेत्रा आर
1	2	3		4	5	6	7	
वडखल		पेण	रायगड	16	6 पी		0	10-1
				16	7 पी		0	03-5
				16	4 पी		0	04-3
				12	3 पी		0	10-1

1	2	3	4	5	6	7
बडखल	पेण	रायगड	10	0 पी		0-06-0
			9	2 पी		0-05-8
			9	1 पी		0-08-6
			17	0 पी		0-00-7
			8	1 अ पी		0-14-6
			7	2 पी		0-12-1
			7	1 पी		0-10-8
			18	1 पी		0-04-5
			18	3 पी		0-05-8
			18	2 पी		0-01-2
			19	2 पी		0-02-0
			20	3 पी		0-02-0
			20	4 पी		0-04-3
			22	2 पी		0-00-2
			21	4 पी		0-06-0
			21	5 पी		0-10-7
			21	8 पी		0-05-8
			24	1 पी		0-12-3
			25	1 पी		0-01-2
			25	3 पी		0-20-7
			26	1 पी		0-08-6
			27	8 पी		0-02-0
			27	2 पी		0-02-2
			27	4 पी		0-01-2
			27	5 पी		0-03-0
			27	7 पी		0-07-0
			27	3 पी		0-00-2
			58	3 पी		0-14-4
			58	4 पी		0-16-1
			57	1 पी		0-05-0
			57	2 पी		0-15-6
			59	5 पी		0-02-5
			59	4 पी		0-04-3
			59	3 पी		0-01-2
			55	1 अ पी		0-07-8
			56	3 पी		0-39-2
			41	1 अ पी		0-08-0
			41	1 ब पी		0-09-4
			41	2 पी		0-10-6
			41	3 पी		0-01-5
			41	4 पी		0-02-2
			41	5 पी		0-02-7
			44	1 पी		0-00-7
			42	1 अ पी		0-15-4
			42	1 ब पी		0-03-7

1	2	3	4	5	6	7
कांदळे	पेण	रायगड	—	76 पी		0-13-4
				90 पी		0-01-2
				91 पी		0-16-6
				92 पी		0-00-2
				94 पी		0-08-3
				97 पी		0-08-0
				108 पी		0-05-0
				110 पी		0-00-7
				105(1) पी		0-08-7
				105(2)पी		0-03-6
				109 पी		0-06-3
				119 पी		0-10-6
				118 पी		0-07-3
				122 पी		0-10-8
				148 पी		0-00-2
				147 पी		0-07-3
				146 पी		0-04-5
				151 पी		0-05-0
				145 पी		0-01-2
				153 पी		0-06-5
				137 पी		0-17-2
				138 पी		0-10-6
उचेडे	पेण	रायगड	20	1 पी		0-07-5
			20	2(1) पी		0-05-1
			20	2(2) पी		0-08-0
			20	2(7) पी		0-05-4
			20	2(8) पी		0-12-6
			19	5 पी		0-02-0
			18	2 पी		0-12-1
			18	3 पी		0-07-3
			17	2 पी		0-08-3
			17	1 अ पी		0-01-5
			17	1 ड पी		0-04-3
भलेघर	पेण	रायगड	—	86 पी	—	0-05-5
				52 पी		0-10-8
				231 पी		0-01-0
				53 पी		0-07-3
				58 पी		0-04-8
				55 पी		0-03-5
				54 पी		0-04-3
				39 पी		0-04-0
				34 पी		0-01-1
				13 पी		0-04-1
नगदी सापोली	पेण	रायगड	13	1 ते 6 पी		1-14-3

1	2	3	4	5	6
वरेडी	पेण	रायगड	50	2 पी	0–03–2
			41	1 पी	0–02–5
			41	2 पी	0–07–5
			41	3 पी	0–10–3
			41	4 पी	0–07–0
			40	1 पी	0–17–1
			40	2 पी	0–19–5
			39	1अ पी	0–04–8
			39	1ब पी	0–05–3
			67	1 अ पी	0–04–3
			67	2 पी	0–04–0
			67	3 पी	0–04–3
			66	2ब पी	0–01–5
			2	6ड पी	0–02–7
			4	1 + 3क पी	0–18–1
			4	1 + 3अ पी	0–10–8
			4	2 पी	0–03–7
			5	1 अ पी	0–06–5
			5	2 पी	0–00–2
			5	3 पी	0–03–7
			6	1 पी	0–06–7
डोलत्री दबावा	पेण	रायगड	37	8ब पी	0–04–3
			37	8अ पी	0–07–0
			37	4अ पी	0–09–6
			37	3 पी	0–01–5
			37	2 पी	0–01–2
			37	1 पी	0–02–0
			36	1 पी	0–18–7
			38	5 पी	0–00–5
			35	4 पी	0–11–6
			35	3 पी	0–00–2
			35	2 पी	0–03–7
			35	1/4	0–06–0
खार दुतर्फा बोर्ली	पेण	रायगड	206	6 पी	0–08–3
			206	1 पी	0–08–3
			206	2 पी	0–08–8
			205	1 पी	0–01–0
			205	3 पी	0–26–5
			205	2 पी	0–01–2
			204	0 पी	0–09–1
			203	1 अपी	0–03–2
			203	2 पी	0–20–0
			202	5 पी	0–03–2
			202	3 पी	0–06–8

1	2	3	4	5	6
खार दुतर्फा बोली	पेण	रायगड	201	1+2ब पी	0-16-2
			201	1+2ब पी	0-05-5
			200	2 ब पी	0-17-2
			196	1 पी	0-12-6
			196	2 पी	0-01-5
			198	1इ पी	0-02-0
			198	1क पी	0-10-1
			197	5 पी	0-00-5
			197	4अ(1)पी	0-05-0
			197	4अ(2)पी	0-05-7
			197	4 ब	0-07-0
			192	3अ पी	0-11-6
			191	1 अ(1) ——पी	0-12-7
			191	1 अ (2) —— 2 पी	0-09-1
			191	1ब(2)पी	0-09-8
			189	3 पी	0-01-0
			189	5 पी	0-16-6
			184	4 पी	0-08-6
			184	5 पी	0-03-5
कोपर	पण	रायगड	49	6अ पी	0-05-0
			49	6ब पी	0-07-0
			49	7 पी	0-06-3
			49	8 पी	0-01-2
			55	1 पी	0-03-0
			55	2 पी	0-16-6
			55	3अ पी	0-00-2
			54	2अ पी	0-04-1
			54	2ब पी	0-06-0
			54	5+6पी	0-01-5
			57	6 पी	0-01-0
			58	1 पी	0-15-6
			59	1 पी	0-02-7
			59	2अ पी	0-10-8
			59	5 पी	0-13-9
			46	1(1)पी	0-18-6
			60	5 पी	0-06-3
			45	2 पी	0-03-0
			45	3 पी	0-05-3
			45	4 पी	0-03-7
			45	5 पी	0-04-0
			44	1 पी	0-07-1

			5	6	7	8
			44	2पी		0-03-0
			41	1अ पी		0-06-0
			41	2पी		0-01-2
			40	1पी		0-02-5
			40	2पी		0-11-3
			40	3पी		0-01-2
			40	4अ—4ब पी		0-01-1
			40	5पी		0-00-2
			40	5पी		0-17-2
			33	1पी		0-07-8
			33	2पी		0-08-3
			32	2अ पी		0-05-8
			32	2ब पी		0-05-0
			32	5अ पी		0-08-3
			32	5ब पी		0-03-5
			32	7पी		0-10-8
			14	1पी		0-04-0
			14	2(1)पी		0-05-0
			14	2(2)पी		0-06-5
			14	3 पी		0-07-5
			18	1पी		0-02-7
			18	2पी		0-03-7
			18	3पी		0-05-4
डावरे	पेण	रायगड	35	1अ पी		0-15-1
			35	3पी		0-06-8
			35	4पी		0-00-2
			36	1पी		0-01-0
			28	2पी		0-06-5
			28	5पी		0-15-1
			27	1पी		0-09-6
			23	2क पी		0-05-3
			24	1पी		0-18-9
			24	2पी		0-07-0
			24	3पी		0-06-5
			24	4पी		0-14-1
			21	1अ पी		0-10-4
			21	1ब पी		0-10-1
			21	1क पी		0-03-7
			21	2पी		0-03-5
			21	3पी		0-04-5
			21	4पी		0-04-5
			19	1पी		0-02-2
			19	2पी		0-05-0

[सं. 34027/1/87-पीसी-III]

एम. के. गुप्ता, डेस्क अधिकारी

S.O. 691.—Whereas by a notification of Government of India in the Ministry of Industry (Department of Chemicals & Petrochemicals) No. S.O. 2755 dated the 28th September, 1987 and Erratums No. S.O. 3345 dated the Nil, 1987 and S.O. 196 dated the 7th January, 1988 under sub-section (1) of section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipeline

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act submitted report to the Government.

And further the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines.

And further, in exercise of the powers conferred by Sub-section 4 of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Petrochemicals Corporation Limited, Maharashtra Gas Cracker Complex Division, Vile Parle (W), Bombay free from all encumbrances.

SCHEDULE

Schedule to Notification under Section 6 (1) of the Petroleum and Minerals Pipe Lines (Acquisition of Right of user in land) Act, 1962

Name of Village	Tahsil	District	Survey No.	Hissa No.	Gat No.	Area H. R.
Wadkhal	Pen	Raigad	16	6(P)		0-10-1
			16	7(P)		0-03-5
			16	4(P)		0-04-3
			12	3(P)		0-10-1
			10	0(P)		0-06-0
			9	2(P)		0-05-8
			9	1(P)		0-08-6
			17	0(P)		0-00-7
			8	1A(P)		0-14-6
			7	2(P)		0-12-1
			7	1(P)		0-10-8
			18	1(P)		0-04-5
			18	3(P)		0-05-8
			18	2(P)		0-01-2
			19	2(P)		0-02-0
			20	3(P)		0-02-0
			20	4(P)		0-04-3
			22	2(P)		0-00-2
			21	4(P)		0-06-0
			21	5(P)		0-10-7
			21	8(P)		0-05-8
			24	1(P)		0-12-3
			25	1(P)		0-01-2
			25	3(P)		0-20-7
			26	1(P)		0-08-6
			27	8(P)		0-02-0
			27	2(P)		0-02-2
			27	1(P)		0-01-2
			27	5(P)		0-03-0
			27	7(P)		0-07-0
			27	3(P)		0-00-2
			58	3(P)		0-14-4
			58	4 (P)		0-16-1
			57	1(P)		0-05-0
			57	2(P)		0-15-6

1	2	3	4	5	6	7
Wadkhal—*Contd.*		Pen	Raigad	59	5(P)	0-02-5
				59	4(P)	0-04-3
				59	3(P)	0-01-2
				55	1A(P)	0-07-8
				56	3(P)	0-39-2
				41	1A(P)	0-08-0
				41	1B(P)	0-09-4
				41	2(P)	0-10-6
				41	3(P)	0-01-5
				41	4(P)	0-02-2
				41	5(P)	0-02-7
				44	1(P)	0-00-7
				42	1A(P)	0-15-4
				42	1B(P)	0-03-7
Kandale		Pen	Raigad	—	76(P)	0-13-4
					90(P)	0-01-2
					91(P)	0-16-6
					92(P)	0-00-2
					94(P)	0-08-3
					97(P)	0-08-0
					108(P)	0-05-0
					110(P)	0-00-7
					105(1)(P)	0-08-7
					105(2)(P)	0-03-6
					109(P)	0-06-3
					119(P)	0-10-6
					118(P)	0-07-3
					112(P)	0-10-8
					148(P)	0-00-2
					147(P)	0-07-3
					146(P)	0-04-5
					151(P)	0-05-0
					145(P)	0-01-2
					153(P)	0-06-5
					137(P)	0-17-2
					138(P)	0-10-6
Uchede		Pen	Raigad	20	1(P)	0-07-5
				20	2(1)(P)	0-05-1
				20	2(2)(P)	0-08-0
				20	2(7)(P)	0-05-4
				20	2(8)(P)	0-12-6
				19	5(P)	0-02-0
				18	2(P)	0-12-1
				18	3(P)	0-07-3
				17	2(P)	0-08-3
				17	1A(P)	0-01-5
				17	1D(P)	0-04-3
Maleghar		Pen	Raigad		86(P)	0-03-5
					52(P)	0-10-8
					231(P)	0-01-0
					53(P)	0-07-3
					58(P)	0-04-3
					55(P)	0-03-5
					54(P)	0-04-3

1	2	3	4	5	6
MALEGHAR-Contd.	PEN	RAIGAD		39(P)	0-04-0
				34(P)	0-10-1
				43(P)	0-04-1
NAGADI SAPOLI			13	1 to 6 (P)	1-14-3
WAREDI	PEN	RAIGAD	50	2(P)	0-03-2
			41	1(P)	0-02-5
			41	2(P)	0-07-5
			41	3(P)	0-10-3
			41	4(P)	0-07-0
			40	1(P)	0-17-4
			40	2(P)	0-19-5
			39	1A(P)	0-04-8
			39	1B(P)	0-05-3
			67	1A(P)	0-04-3
			67	2(P)	0-04-0
			67	3(P)	0-04-3
			66	2B(P)	0-01-5
			2	6D(P)	0-02-7
			4	1+3C(P)	0-18-1
			4	1+3A(P)	0-10-8
			4	2(P)	0-03-7
			5	A1(P)	0-06-5
			5	2(P)	0-00-2
			5	3(P)	0-03-7
			6	1(P)	0-06-7
DOLVI DABABA	PEN	RAIGAD	37	83(P)	0-04-3
			37	8A(P)	0-07-0
			37	4A(P)	0-09-6
			37	3(P)	0-01-5
			37	2(P)	0-01-2
			37	1(P)	0-02-0
			36	1(P)	0-18-7
			38	5(P)	0-00-5
			35	4(P)	0-11-6
			35	3(P)	0-00-2
			35	2(P)	0-03-7
			35	1/4(P)	0-06-0
KHAR DUTARFA	PEN	RAIGAD	206	6(P)	0-08-3
BORLI			206	1(P)	0-08-3
			206	2(P)	0-08-8
			205	1(P)	0-01-0
			205	3(P)	0-26-5
			205	2(P)	0-01-2
			204	0(P)	0-09-1
			203	1A(P)	0-0-32
			203	2(P)	0-20-0
			202	5(P)	0-03-2
			202	3(P)	0-06-8
			201	1+2B(P)	0-16-2
			201	1+2B(P)	0-05-5
			200	2B(P)	0-17-2
			196	1(P)	0-12-6
			198	2(P)	0-01-5

1	2	3	4	5	6
			198	1E(P)	0-02-0
			198	1C(P)	0-10-1
			197	5(P)	0-00-5
			197	4A(1)(P)	0-05-0
			197	4A(2)(P)	0-05-7
			197	4B(P)	0-07-0
			192	3A(P)	0-11-6
			191	1/1A(1)(P)	0-12-7
			191	1/2A(2)(P)	0-09-1
			191	1B(2)(P)	0-09-8
			189	3(P)	0-01-0
			189	5(P)	0-16-6
			184	4(P)	0-08-6
			184	5(P)	0-03-5
KOPAR	PEN	RAIGAD	49	6A(P)	0-05-0
			49	6B(P)	0-07-0
			49	7(P)	0-06-3
			49	8(P)	0-01-2
			55	1(P)	0-03-0
			55	2(P)	0-16-6
			55	3A(P)	0-00-2
			54	2A(P)	0-04-1
			54	2B(P)	0-06-0
			54	5+6(P)	0-01-5
			57	6(P)	0-01-0
			58	1(P)	0-15-6
			59	1(P)	0-02-7
			59	2A(P)	0-10-8
			59	5(P)	0-13-9
			46	1(1)(P)	0-18-6
			60	5(P)	0-06-3
			45	2(P)	0-03-0
			45	3(P)	0-05-3
			45	4(P)	0-03-7
			45	5(P)	0-04-0
			44	1(P)	0-07-1
			44	2(P)	0-03-0
			41	1A(P)	0-06-0
			41	2(P)	0-01-2
			40	1(P)	0-02-5
			40	2(P)	0-11-3
			40	3(P)	0-01-2
			40	4A+4B(P)	0-10-1
			40	5(P)	0-00-2
			40	6(P)	0-17-2
			33	1(P)	0-07-8
			33	2(P)	0-08-3
			32	2A(P)	0-05-8
			32	2B(P)	0-05-0
			32	5A(P)	0-08-3
			32	5B(P)	0-03-5
			32	7(P)	0-10-8
			14	1(P)	0-04-0
			14	2(1)(P)	0-05-0

1	2	3	4	5	6
Kpoar	Pen	Raigad	14	2(2)(P)	0-06-5
			14	3(P)	0-07-5
			18	1(P)	0-02-7
			18	2(P)	0-03-7
			18	3(P)	0-05-0
Dawre	Pen	Raigad	35	1A(P)	0-15-1
			35	3(P)	0-06-8
			35	4(P)	0-00-2
			36	1(P)	0-01-0
			28	2(P)	0-06-5
			28	5(P)	0-15-1
			27	1(P)	0-09-6
			23	2C(P)	0-05-3
			24	1(P)	0-16-9
			24	2(P)	0-07-0
			24	3(P)	0-06-5
			24	4(P)	0-14-1
			21	1A(P)	0-10-4
			21	1B(P)	0-10-1
			21	1C(P)	0-03-7
			21	2(P)	0-03-5
			21	3(P)	0-04-5
			21	4(P)	0-04-5
			19	1(P)	0-02-2
			19	2(P)	0-05-0

[No. 34027/1/87-PC.-III]

S.K. GUPTA, Desk Officer

शोक उद्यम विभाग

नई दिल्ली, 8 फरवरी, 1988

का.आ. 692—केन्द्रीय सरकार, सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेदखली (अधिनियम, 1971) 1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के भूतपूर्व निर्माण और आवास मंत्रालय (संपदा निदेशालय) की अधिसूचना सं. का.आ. 127, तारीख 13 जनवरी, 1973 को अधिक्रान्त करते हुए, नीचे दी गई सारणी के स्तम्भ 1 (1) में उल्लिखित अधिकारियों को, जो एचएमटी लि. के अधिकारी हैं और जो सरकार के राजपत्रित अधिकारियों के रैंक के समतुल्य हैं, उक्त अधिनियम के प्रयोजनों के लिए संपदा अधिकारी नियुक्त करती है और उक्त अधिकारी उक्त सारणी के स्तम्भ (2) में तत्स्थानी प्रविष्टि में विनिर्दिष्ट सरकारी स्थान की बाबत अपनी-अपनी अधिकारिता की सीमाओं के भीतर प्रदत्त शक्तियों का प्रयोग करेंगे और उक्त अधिनियम द्वारा या उसके अधीन किसी संपदा अधिकारी पर अधिरोपित कर्तव्यों का अनुपालन करेंगे ।

अधिकारी का पदनाम	सरकारी स्थान का प्रकार और अधिकारिता की स्थानीय सीमाएं
1	2
1. प्रबंधक/उपप्रबंधक-संपदा, संपदा अधिकारी, एचएमटी लि., I और II, बंगलौर (कर्नाटक)	कुल क्षेत्र, जिसमें कारखाना परिसर, आनुषंगिक (ऐन्सिलरीज), नगरी, संघ कार्यालय, एचएमटी लि. अस्पताल, स्कूल भवन, क्लब, खेल का मैदान और अन्य नागरिक प्रसुविधाएं हैं, जिसके अंतर्गत एचएमटी लि. I और II, बंगलौर द्वारा स्वामित्व में ली गई या अर्जित की गई या किराये पर ली गई ऐसी भूमि, परिसर और भवन भी आते हैं जो उसके प्रशासनिक नियंत्रणाधीन हैं ।
2. प्रबंधक/उपप्रबंधक, संपदा, संपदा अधिकारी, एमएचटी लि. III, पिन्जौर, जिला अंबाला (हरियाणा)	कुल क्षेत्र, जिसमें कारखाना परिसर/नगरी, समुदाय केन्द्र, स्कूल भवन, संघ कार्यालय, एसडब्ल्यू ए एसएस ओ हाउस, औषधालय, एचएमटी क्लब, क्रीडा क्लब और अन्य नागरिक प्रसुविधाएं, पूजा स्थल जैसे मन्दिर, गुरुद्वारा आदि, जिसके अंतर्गत एचएमटी लि. III, पिन्जौर द्वारा स्वामित्व में ली गई या अर्जित की गई या किराये पर ली गई ऐसी भूमि, परिसर और भवन भी आते हैं जो उसके प्रशासनिक नियंत्रणाधीन हैं ।

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3. प्रबंधक/उपप्रबंधक, संपदा, संपदा अधिकारी, एचएमटी लि. , कलामैसरी (केरल)	कुल क्षेत्र, जिसमें कारखाना परिसर, आनुषंगिक, नगरी, समुदाय केन्द्र, संघ कार्यालय, औषधालय, स्कूल भवन क्लब, खेल का मैदान और अन्य नागरिक प्रसुविधाएं हैं, जिसके अंतर्गत एचएमटी लि. IV कलामैसरी द्वारा स्वामित्व में ली गई या अर्जित की गई या किराये पर ली गई ऐसी भूमि, परिसर भवन भी आते हैं जो उसके प्रशासनिक नियंत्रणाधीन हैं ।
4. नगर प्रशासक, प्रबंधक/उपप्रबंधक, संपदा, संपदा अधिकारी, एचएमटी लि हैदराबाद (आन्ध्र भवन)	कुल क्षेत्र, जिसमे कारखाना परिसर, आनुषंगिक, नगरी, संघ कार्यालय, एचएमटी लि. अस्पताल, स्कूल भवन क्लब, खेल का मैदान और अन्य नागरिक प्रसुविधाएं हैं, जिसके अंतर्गत एचएमटी लि., हैदराबाद द्वारा स्वामित्व में ली गई या अर्जित की गई या किराये पर ली गई ऐसी भूमि, परिसर और भवन भी आते हैं जो उसके प्रशासनिक नियंत्रणाधीन हैं ।
5. प्रबंधक/उपप्रबंधक, संपदा, सपदा अधिकारी, एचएमटी लि. अजमेर (राजस्थान)	कुल क्षेत्र, जिसमें कारखाना परिसर, आनुषंगिक, नगरी, समुदाय केन्द्र, संघ कार्यालय, औषधालय, स्कूल भवन, क्लब, खेल का मैदान और अन्य नागरिक प्रसुविधाएं हैं, जिसके अंतर्गत एचएमटी लि. VI, अजमेर द्वारा स्वामित्व में ली गई या अर्जित की गई या किराये पर ली गई ऐसी भूमि, परिसर और भवन भी आते हैं जो उसके प्रशासनिक नियंत्रणाधीन हैं ।
6. प्रबंधक/उपप्रबंधक, सपदा, सपदा अधिकारी, एचएमटी लि. घड़ी कारखाना I और II बंगलौर (कर्नाटक)	कुल क्षेत्र, जिसमे कारखाना परिसर, नगरी, संपदा हाल, संघ कार्यालय, औषधालय, स्कूल भवन, क्रीड़ा कार्यालय, अधिकारी क्लब, सहकारी समिति, बैंक भवन, डाकघर, कल्याण केन्द्र और अन्य नागरिक प्रसुविधाए हैं, जिसके अंतर्गत एचएमटी लि., घड़ी कारखाना I और II बंगलौर द्वारा स्वामित्व में ली गई या अर्जित की गई या किराये पर ली गई ऐसी भूमि, परिसर या भवन भी आते हैं जो उसके प्रशासनिक नियंत्रणाधीन हैं ।
7. प्रबंधक/उपप्रबंधक, संपदा, संपदा अधिकारी, घड़ी कारखाना III, जैनाकोट (श्रीनगर-बारामूला राजमार्ग) श्रीनगर (जम्मू और कश्मीर)	कुल क्षेत्र, जिसमें कारखाना परिसर, आनुषंगिक, नगरी, समुदाय केन्द्र, संघ कार्यालय, क्लब, खेल का मैदान और अन्य नागरिक प्रसुविधाएं हैं, जिसके अंतर्गत एचएमटी लि., घड़ी कारखाना III, श्रीनगर द्वारा स्वामित्व में ली गई या अर्जित की गई या किराये पर ली गई ऐसी भूमि, परिसर और भवन भी आते हैं जो उसके प्रशासनिक नियंत्रणाधीन हैं ।
8. प्रबंधक/उपप्रबंधक-संपदा, संपदा अधिकारी, एचएमटी लि. IV घड़ी कारखाना टुमकूर (कर्नाटक)	कुल क्षेत्र, जिसमें कारखाना परिसर, आनुषंगिक, नगरी, समुदाय केन्द्र संघ कार्यालय, औषधालय, स्कूल भवन, क्लब, खेल का मैदान और अन्य नागरिक प्रसुविधाएं हैं, जिसके अंतर्गत एचएमटी लि० घड़ी कारखाना IV, टुमकूर द्वारा स्वामित्व में ली गई या अर्जित की गई या किराये पर ली गई ऐसी भूमि, परिसर और भवन भी आते हैं जो उसके प्रशासनिक नियंत्रणाधीन हैं ।
9. उप मुख्य इंजीनियर (सिविल), प्रबंधक/उपप्रबंधक संपदा, संपदा अधिकारी, एचएमटी घड़ी कारखाना रानीबाग, जिला नैनीताल (उ.प्र)	कुछ क्षेत्र, जिसमें कारखाना परिसर, आनुषंगिक, नगरी, समुदाय केन्द्र, संघ कार्यालय, औषधालय, स्कूल भवन, क्लब, खेल का मैदान और अन्य नागरिक प्रसुविधाए हैं, जिसके अंतर्गत एच एमटी लि., घड़ी कारखाना V, रानीबाग द्वारा स्वामित्व में ली गई या अर्जित की गई या किराये पर ली गई ऐसी भूमि परिसर या भवन भी आते हैं जो उसके प्रशासनिक नियंत्रणाधीन हैं ।
10. कार्मिक अधिकारी, प्रबंधक/उप प्रबंधक, सपदा, संपदा अधिकारी, एचएमटी लि., डेरी मशीनरी यूनिट औरंगाबाद (महाराष्ट्र)	कुल क्षेत्र, जिसमें कारखाना परिसर, नगरी और अन्य नागरिक प्रसुविधाएं हैं, जिसके अंतर्गत एच एमटी लि./डेरी मशीनरी यूनिट, औरंगाबाद द्वारा स्वामित्व में ली गई या अर्जित की गई या किराये पर ली गई ऐसी भूमि, परिसर और भवन भी आते हैं जो उसके प्रशासनिक नियंत्रणाधीन हैं ।
11. प्रबंधक/उपप्रबंधक, संपदा, सपदा अधिकारी, एचएमटी लि. लघु बैट्री परियोजना गुवाहाटी (असम)	कुल क्षेत्र, जिसमें कारखाना परिसर, नगरी और अन्य नागरिक प्रसुविधाएं हैं, जिसके अंतर्गत एच एमटी लि., लघु बैट्री परि-

1	2
	योजना गुवाहटी द्वारा स्वामित्व ली गई या अर्जित की गई या किराये पर ली गई ऐसी भूमि, परिसर और भवन भी आते हैं जो उसके प्रशासनिक नियंत्रणा धीन हैं।

[फाइल सं. 14-3/85/एमटी/पीई-X]
बी. प्रभाकरा, संयुक्त सचिव

DEPARTMENT OF PUBLIC ENTERPRISES

New Delhi, the 8th February, 1988

S.O. 692.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) and in supersession of the notification of the Government of India in the erstwhile Ministry of Works and Housing (Directorate of Estates) No. S.O. 127, dated the 13th January, 1973, the Central Government hereby appoints the Officers mentioned in column (1) of the Table below, being the officers of the HMT Limited, equivalent to the rank of gazetted officers of Government, to be estate officers for the purposes of the said Act and the said officers shall exercise the powers conferred and perform the duties imposed on estate officer by or under the said Act, within the local limits of their respective jurisdiction in respect of the public premises specified in the corresponding entry in column (2) of the said Table.

Designation of the Officers	Category of public premises and local units of jurisdiction
1	2
1. Manager/Deputy Manager Estate, Estate Officer. HMT Limited I & II, Bangalore (Karnataka)	The entire area comprising of factory premises, Ancillaries, Township, Union Office, HMT Hospital, School buildings, Club, Sports ground and other civil amenities including the lands. premises and buildings owned or acquired or hired by HMT Ltd. I & II, Bangalore which are under its Administrative control.
2. Manager/Deputy Manager, Estate, Estate Officer, HMT Ltd. III, Pinjore, Distt. Ambala (Haryana)	The entire area comprising of factory premises/Township, Community Centre, School Buildings, Union Officer, SWASSO House, Dispensary, HMT Club, Sports Club and other civil amenities, Worship places like Temple, Gurudwara etc. including the lands, premises and buildings owned or acquired or hired by HMT Limited III, Pinjore which are under its Administrative control.
3. Manager/Deputy Manager, Estate, Estate Officer, HMT Limited IV, Kalamassery (Kerala).	The entire area comprising of factory premises, Ancillaries, Township, Community Centre, Union Office, Dispensary, School Building, Club, Sports ground and other civil amenities including the lands, premises and buildings owned or acquired or hired by HMT Ltd. IV, Kalamassery, which are under its Administrative Control.
4. Town Administrator, Manager Deputy Manager, Estate, Estate Officer, HMT Limited V, Hyderabad (Andhra Pradesh)	The entire area comprising of factory premises, Ancillaries, township, Union Office, HMT Hospital, School buildings, Club, Sports ground and other civil amenities including the lands, premises and buildings owned or acquired or hired by HMT Limited V, Hyderabad, which are under its Administrative Control.
5. Manager/Deputy Manager, Estate, Estate Officer, HMT Limited VI Ajmer (Rajasthan)	The entire area comprising of Factory premises, Ancillaries, Township, Community Centre, Union Office, Dispensary, School building, Club, Sports ground, and other civil amenities including the lands, premises and buildings owned or acquired or hired by HMT Limited VI, Ajmer, which are under its Administrative control.

1	2	3
6.	Manager/Deputy Manager Estate, Estate Officer, HMT Ltd., Watch Factory I & II, Bangalore (Karnataka).	The entire area comprising of factory premises, Township, Community Hall, Union Officer, Dispensary. School Building Sports Office, Officer's Club, Co-operative Society, Bank Building, Post-Office, Welfare Centre and other civil amenities including the lands, premises and buildings owned or acquired or hired by HMT Limited, Watch Factory I & II, Bangalore, which are under its Administrative control.
7.	Manager/Deputy Manager Estate, Estate Officer, Watch Factory III, Zaina-Kote (Srinagar-Baramulla Highway) Srinagar, (J&K)	The entire area comprising of factory premises, Ancillaries, Township, Community Centre, Union Office, Club, Sports ground and other civil amenities including the lands, premises and buildings owned or acquired or hired by HMT Limited, Watch Factory III, Srinagar which are under its Administrative control.
8.	Manager/Deputy Manager-Estate, Estate Officer, HMT Limited, IV Watch Factory, Tumkur (Karnataka).	The entire area comprising of factory premises, Ancillaries, Township, Community Centre, Union Office, Dispensary, School building, Club, Sports ground and other civil amenities including the lands, premises and buildings owned or acquired or hired by HMT Limited, Watch Factory IV, Tumkur which are under its Administrative Control.
9.	Deputy Chief Engineer (Civil), Manager/Deputy Manager-Estate, Estate Officer, MT Ltd. V Watch Factory, Ranibagh, Distt. Nainital (U.P.)	The entire area comprising of factory premises, Ancillaries, Township, Community Centre, Union Office, Dispensary, School building, Club, Sports ground and other civil amenities including the lands, premises and buildings owned or acquired or hired by HMT Limited, Watch Factory V, Ranibagh, which are under its Administrative control.
10.	Personnel Officer, Manager/Deputy Manager-Estate, Estate Officer, HMT Ltd. Dairy Machinery Unit, Aurangabad (Maharashtra).	The entire are comprising of factory premises, Township and other civil amenities including the lands, premises and buildings owned or acquired or hired by HMT Limited, Dairy Machinery Unit, Aurangabad, which are under its Administrative control.
11.	Manager/Deputy Manager-Estate, Estate Officer, HMT Limited, Miniature Battery Project, Guwahati, (Assam).	The entire area comprising of factory premises, Township and other civil amenities including the lands, premises and buildings owned or acquired or hired by HMT Limited, Miniature Battery Project, Guwahati, which are under its Administrative Control.

[File. No. 14-3/85/MT/PE-X]

B.R. PRABHAKARA, Jt. Secy.

पेट्रोलियम और प्राकृतिक गैस मन्त्रालय

नई दिल्ली 5 फरवरी 1988

का. आ. 693:—यत: केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कलोल-नवागाम से कोयली-फेस-II तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यत: यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है,

अत: अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देख

भाल प्रभाग, मकरपुरा रोड़, बडौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ;

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत ।

अनुसूची

के. ऐन. के. फेस II की पाइप लाइन बिछाने के लिए ।

राज्य : गुजरात जिला : खेड़ा तालुका : मातर

गांव	ब्लॉक नं.	हेक्टेयर	आर.	सेन्टीयर
ऊंढेला	1077	0	01	40
	1078	0	10	70
	1080	0	04	30
	1132	0	01	45
	1131	0	01	70
	1129	0	01	90
	1128	0	03	90
	1127	0	01	70
	1125	0	11	50
	1152	0	00	50
	1154	0	09	50
	1155	0	01	00
	1156	0	00	49
	1157	0	04	50
	1165	0	06	00
	1164	0	06	50
	1181	0	12	00
	1355	0	02	80
	1356	0	01	15

[सं. ओ-11027/64/88/ओ एन जी डी-4]

MINISTRY OF PETROLEUM & NATURAL GAS

New Delhi, the 5th February, 1988

S.O. 693.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Kalol-Nawagam to Koyali-Phase II in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to laying of the pipeline under the land to the Competent Authority. Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-390009.

And every person making such an objection shall also state specifically whether he wishes to be hear in person or by legal practitioner.

SCHEDULE

PIPELINE FOR KNK PHASE II

State : Gujarat District : Kheda Taluka : Matar

Village	Block No.	Hec.	Are	Cen-
Undhela	1077	0	01	40
	1078	0	10	70
	1080	0	04	30
	1132	0	01	45
	1131	0	01	70
	1129	0	01	90
	1128	0	03	90
	1127	0	01	70
	1125	0	11	50
	1152	0	00	50
	1154	0	09	50
	1155	0	01	00
	1156	0	00	49
	1157	0	04	50
	1165	0	06	00
	1164	0	06	50
	1181	0	12	00
	1355	0	02	80
	1356	0	01	15

[No. O-11027/44/88-ONG/D-IV]

का. आ. 694.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कलोल-नवागाम से कोयली-फेस II तक पैट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए ;

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ;

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है ;

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और रखरखाव

प्रभाग, मकरपुरा रोड़, बड़ौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत।

अनुसूची

के. ऐन. के. फेस II की पाइप लाइन बिछाने के लिए

राज्य : गुजरात जिला : खेड़ा तालुका : नड़ीपाद

गांव	सर्वे नं.	हेक्टेयर	आरे.	सेन्टीयर
1	2	3	4	5
वसो	1398	0	12	00
	1399	0	03	40
	1401	0	06	50
	1402	0	04	20
	1413/1	0	03	75
	कार्टट्रेक	0	01	20
	1413/2	0	00	50
	1412	0	00	40
	1421	0	09	00
	1423	0	19	00
	कार्ट ट्रेक	0	00	40
	1463	0	19	00
	1464	0	02	00
	35	0	02	60
	87	0	06	70
	कार्टट्रेक	0	00	60
	86/2	0	00	40
	85	0	06	80
	82	0	07	30
	80	0	00	40
	76	0	12	50
	75	0	03	50
	66	0	05	00
	65	0	03	10
	67	0	11	00
	62	0	12	30
	कार्टट्रेक	0	00	50
	116	0	10	60
	117	0	04	90
	118	0	03	70
	120	0	09	50
	121	0	09	20
	119	0	00	50
	194	0	09	00
	197	0	03	80
	219	0	02	00
	कार्टट्रेक	0	01	20

[सं. ओ.-11027/45/88-ओ एन जी/डी-4]

S.O. 694.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Kalol-Nawagam to Koyali-Phase II in Gujarat State pipelne should be laid by the Oil & Natural Gas Commission

And whereas it appears that for the purpose of laying such pipelne, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelnes (Acquisition of Right of User in the land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, objection to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390 009.

And every person making such an objection shall also state specifically whether he wishes to be hear in person or by legal practitioner.

SCHEDULE

PIPELINE FOR KNK PHASE II

State : Gujarat District : Kheda Taluka : Nadiad

Village	Survey No.	Hectare	Arc	Centiare
1	2	3	4	5
Vaso	1398	0	12	00
	1399	0	03	40
	1401	0	06	50
	1402	0	04	20
	1413/1	0	03	75
	Cart track	0	01	20
	1413/2	0	00	50
	1412	0	00	40
	1421	0	09	00
	1423	0	19	00
	Cart track	0	00	40
	1463	0	19	00
	1464	0	02	00
	35	0	02	60
	87	0	06	70
	Cart Track	0	00	60

1	2	3	4	5
	86/2	0	00	40
	85	0	06	80
	82	0	07	30
	80	0	00	40
	76	0	12	50
	75	0	03	50
	66	0	05	00
	65	0	03	10
	67	0	11	00
	62	0	12	30
	Cart Track	0	00	50
	116	0	10	60
	117	0	04	90
	118	0	03	70
	120	0	09	50
	121	0	09	20
	119	0	00	50
	194	0	09	00
	197	0	03	80
	219	0	02	00
	Cart Track	0	01	20

[No. O-11027/45/88-ONG/D.IV]

का. आ. 695:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कालोल-नवागाम से कोयली-फेस II तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड़, बडौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत।

अनुसूची

के. एन. के. फेस II की पाइप लाइन बिछाने के लिए।

राज्य : गुजरात जिला : अहमदाबाद तालुका : सीटी

गांव	सर्वे नं.	हेक्टेयर	आरे.	सेन्टीयर
1	2	3	4	5
सरखेज	51	0	08	30
	52	0	03	90
	74	0	03	37
	75	0	04	32
	242	0	07	50
	246	0	11	20
	250	0	11	95
	254	0	12	70

[म. ओ.-11027/46/88-ओ एन जी/डी.-4]

S.O. 695.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Kalol-Nawagam to Koyali Phase II in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Mineral Pipelines (Acquisition of Right of User in the land) Act 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification objection to the laying of the pipeline under the land to the Competert Authority, Oil & Natural Gas Commission Construction & Maintenance Division, Makarpura Road Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be hear in person or by legal practitioner.

SCHEDULE

PIPELINE FROM KNK PIPELINE PHASE-II

State : Gujarat District : Ahmedabad Taluka : City

Village	Survey No.	Hec.	Are	Centiare
1	2	3	4	5
Sarkhej	51	0	08	30
	52	0	03	90
	74	0	03	37
	75	0	04	32
	242	0	07	50
	246	0	11	20
	250	0	11	95
	254	0	12	70

[No. O-11027/46/88-ONG/D.IV]

का आ. 696:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कलोल-नवागाम से कोयली-फेस-II तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए ।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड़, बड़ौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत।

अनुसूची

के. ऐन. के. फेस II की पाइप लाइन बिछाने के लिए

राज्य : गुजरात जिला : खेड़ा तालुका : आनंद

गांव	ब्लॉक नं.	हेक्टेयर	आर.	सेन्टीयर
1	2	3	4	5
झोकरीया	87	0	09	40
	89	0	10	40
	88	0	01	36
	91	0	10	54
	90	0	05	46
	94	0	14	90
	146/2+3, 140/1	0	10	80
	145	0	25	60
	100/पी, 100	0	10	67
	101	0	14	30
	102/3, 102/1, 102/2+4	0	23	40
	107/1, 107/2	0	08	50
	137/1, 137/3, 137/2, 136/3/1	0	01	08
	136/2/2, 136/6, 136/2/1/, 3/2+1, 136/4, 136/5	0	28	50
	134/1, 134/2, 134/3+6/1, 134/4+5/6 2	0	36	00
	133/1+2	0	20	78
	कार्ट ट्रेक	0	02	00
	5/1, 5/2	0	01	71
	132/1, 132/2	0	03	27
	101	0	49	81
	11/1, 11/2, 13	0	25	30
	काटट्रेक	0	01	60

[सं. ओ.-11027/47/88-ओ एन जी/डी-IV]]

S.O. 696.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Kalol-Nawagam to Koyali-Phase II in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be hear in person or by legal practitioner.

SCHEDULE

PIPELINE FOR KNK PHASE II

State : Gujarat District : Kheda Taluka : Anand

Village	Block No.	Hec.	Are	Cen.
1	2	3	4	5
Zankhariya	87	0	09	40
	89	0	10	40
	88	0	01	36
	91	0	10	54
	90	0	05	46
	94	0	14	90
	146/2+3, 146/1	0	10	80
	145	0	25	60
	100/P, 100	0	10	67
	101	0	14	30
	102/3, 102/1, 102/2+4	0	23	40
	107/1, 107/2	0	08	50
	137/1, 137/3, 137/2	0	01	08
	136/3/1, 136/2/2, 136/6, 136/2/1/3/2+1, 136/4, 136/5	0	28	50
	134/1, 134/2 134/3+6/1, 134/4+5/6+2	0	36	00
	133/1+2	0	20	78
	Cart Track	0	02	00
	5/1, 5/2	0	01	71
	132/1, 132/2	0	03	27
	101	0	49	81
	11/1, 11/2	0	11	70
	13	0	25	30
	Cart Track	0	01	60

[No. O-11027/47/88—ONG/D

का. आ. 697 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कलोल-नवागाम से कोयली फेस-II तक पेट्रोलियम के परिवहन के लिये पाइपलाइन लेस तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यत यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अत. अब पेट्रोलियम और खनिज पाइपलाइन (भूमि मे उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियो का प्रयोग करते हुए केन्द्रीय सरकार ने उसमे उपयोग का अधिकार अर्जित करने का अपना आशय एतद्-द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि मे हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड़, बडौदा-9 को इस अधिसूचना की तारीख से 21 दिनो के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टत. यह भी कथन करेगा कि क्या यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत।

अनुसूची

के. ऐन. के. फैस II की पाइप लाइन बिछाने के लिए।

राज्य : गुजरात जिला : खेड़ा तालुका . आनंद

गांव	सर्वे नं.	हेक्टेयर	आर.	सेन्टीयर
1	2	3	4	5
वामखोलीया	31/2	0	09	00
	31/1	0	10	20
	33	0	08	50
	42	0	25	56
	43	0	05	40
	40	0	06	40
	39/4	0	00	49
	39/3	0	07	00
	39/2	0	05	40
	39/1/2	0	02	40
	39/1/1	0	02	40
	38/2	0	04	95
	38/1	0	00	26

53/3/2	0	00	14
53/3/1	0	01	00
53/2	0	03	30
53/1	0	13	60
54	0	15	50

[म ओ -12027/48/88- ओएनजी - डी-IV]

S.O 697.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Kalol-Nawagam to Koyali-Phase II in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto.—

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object in to laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner

SCHEDULE

PIPELINE FROM KNK PHASE II

State : Gujarat District : Kheda Taluka : Anand

Village	Survey No.	Hec.	Are	Cen.
1	2	3	4	5
Vanskhiliya	31/2	0	09	00
	31/1	0	10	20
	33	0	08	50
	42	0	25	56
	43	0	05	40
	40	0	06	40
	39/4	0	00	49
	39/3	0	07	00
	39/2	0	05	40
	39/1/2	0	02	40
	39/1/1	0	02	40
	38/2	0	04	95
	38/1	0	00	26
	53/3/2	0	00	14
	53/3/1	0	01	00
	53/2	0	03	30
	53/1	0	13	60
	54	0	15	50

[No. O—11027/48/88—ONG-D.IV]

का.आ. 698.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित मे यह आवश्यक है कि गुजरात राज्य मे कलोल नवागाम से कोयली फेस-II तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाबद्ध अनुसूची मे वर्णित भूमि मे उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि मे उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियो का प्रयोग करते हुए केन्द्रीय सरकार ने उसमे उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि मे हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ौदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत।

अनुसूची

के एन.के फेस II की पाइप लाइने बिछाने के लिए

राज्य. गुजरात जिला : खेड़ा तालुका : नडीयाद

गाव	ब्लाक न.	हेक्टेयर	आर.	सेंटीयर
1	2	3	4	5
मित्राल	806	00	00	24
	807	0	14	00
	809	0	00	15
	810	0	03	00
	817	0	04	80
	816	0	00	25
	815	0	05	00
	818	0	02	50
	859	0	11	10
	858	0	09	50
	876	0	20	00
	935	0	03	00
	933	0	05	70
	931	0	05	40
	932	0	00	60

1	2	3	4	5
मिसराल (जारी)	927	0	06	50
	1067	0	07	50
	1068	0	04	50
	1069	0	01	20
	1111	0	00	25
	1112	0	02	60
	1113	0	03	30
	1114	0	02	10
	1115	0	04	30
	1116	0	03	70
	1218	0	01	25
	1220	0	04	50
	1221	0	04	70
	1236	0	02	50
	1235	0	04	20
	1249	0	05	00
	1281	0	06	50
	1279	0	05	70
	1295	0	10	80
	1311	0	09	50
	1313	0	13	50
	1324	0	01	20
	1333	0	04	00
	1334	0	04	00
	1336	0	06	50
	1339	0	02	70
	1340	0	05	20
	1345	0	04	00
	1351	0	03	70
	1352	0	03	80
	1569	0	00	55
	926	0	01	20
	1237	0	01	10
	1248	0	00	50
	1234	0	01	10
	1344	0	00	30
	808	0	03	76

[सं. ओ.-11027/49/88-ओ एन जी डी-4]

S.O. 698.—Whereas it appear to the Central Government that it is necessary in the public interest that for the transport of petroleum from Kalol-Nawagam to Koyali-Phase II in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

PIPELINE FOR KNK PHASE II

State : Gujarat District : Kheda Taluka : Nadiad

Village	Block No.	Hec.	Are	Cen.
1	2	3	4	5
Mitral	806	0	00	24
	807	0	14	00
	809	0	00	15
	810	0	03	00
	817	0	04	80
	816	0	00	25
	815	0	05	00
	818	0	02	50
	859	0	11	10
	858	0	09	50
	876	0	20	00
	935	0	03	00
	933	0	05	70
	931	0	05	40
	932	0	00	60
	927	0	06	50
	1067	0	07	50
	1068	0	04	50
	1069	0	01	20
	1111	0	00	25
	1112	0	02	60
	1113	0	03	30
	1114	0	02	10
	1115	0	04	30
	1116	0	03	70
	1218	0	01	25
	1220	0	04	50
	1221	0	04	70
	1236	0	02	50
	1235	0	04	20
	1249	0	05	00
	1281	0	06	50
	1279	0	05	70
	1295	0	10	80
	1311	0	09	50
	1313	0	13	50
	1324	0	01	20
	1333	0	04	00

1	2	3	4	5
Mitral Contd.	1334	0	04	00
	1336	0	06	50
	1339	0	02	70
	1340	0	05	20
	1345	0	04	00
	1351	0	03	70
	1352	0	03	80
	1569	0	00	55
	926	0	01	20
	1237	0	01	10
	1248	0	00	50
	1234	0	01	10
	1344	0	00	30
	808	0	03	76

[No. O—11027/49/88-ONG-D.IV]

का.आ. 699.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित मे यह आवश्यक है कि गुजरात राज्य में मजेरा-1 से डबका जी.जी.एस. तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए ।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत ।

अनुसूची

मजेरा-1 से डबका जी.जी.एस. तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात जिला : बड़ोदरा तालुका : पादरा

गांव	ब्लाक नं.	हेक्टेयर	आर.	सेंटीयर
1	2	3	4	5
मासर	920	0	03	60
	919	0	09	00
	918	0	09	70
	917	0	16	35
	915	0	13	50
	914	0	12	30
	902	0	03	20
	901	0	07	95
	900	0	01	60
	899	0	18	00
	887	0	04	50
	898	0	01	65
	897	0	01	28
	892	0	10	50
	891	0	07	00
	890	0	03	50
	कार्ट ट्रैक	0	01	28
	859	0	16	80
	858	0	00	90
	855	0	01	50
	860	0	14	25
	862	0	07	20
	कार्ट ट्रैक	0	01	05
	863	0	16	35
	781	0	21	30
	785	0	01	20
	783	0	07	35
	784	0	13	65
	कार्ट ट्रैक	0	01	95
	696	0	15	90
	697	0	03	60
	695	0	18	75
	694	0	01	28
	691	0	01	28
	693	0	10	80
	692	0	11	55
	682	0	08	10
	683	0	09	00
	684	0	09	75

1	2	3	4	5
	685	0	11	25
	कार्ट ट्रैक	0	01	05
	565	0	18	15
	569	0	00	50
	564	0	13	50
	563	0	03	45
	562	0	00	72
	553	0	02	25
	554	0	12	90
	551	0	02	10
	550	0	18	75
	कार्ट ट्रैक	0	01	80
	351	0	19	50
	337	0	01	60
	336	0	20	90
	335	0	03	75
	287	0	21	90
	261	0	26	15
	260	0	23	70
	कार्ट ट्रैक	0	02	55
	138	0	12	00
	139	0	02	25
	135	0	06	75
	134	0	04	95
	133	0	15	15
	कार्ट ट्रैक	0	01	35
	131	0	11	85
	130	0	21	30
	125	0	09	00
	124	0	08	55
	122	0	16	80
	121	0	02	40
	112	0	33	60
	95	0	25	95
	92	0	03	15
	90	0	12	60
	91	0	14	55
	76	0	12	00
	77	0	10	50
	78	0	09	75
	79	0	03	45
	80	0	05	25

[सं. ओ 11027/60/88-ओ एन जी डी-4]

S.O. 699.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Kalol-Nawagam to Koyali-Phase II in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

PIPELINE FROM GUJERA-1 TO DABAKA GCS

Stae : Gujarat District : Baroda Taluka : Padara

Village	Block No.	Hec.	Are	Cen.
1	2	3	4	5
Masar	920	0	03	60
	919	0	09	00
	918	0	08	70
	917	0	16	35
	915	0	13	50
	914	0	12	30
	902	0	03	20
	901	0	07	95
	900	0	01	60
	899	0	18	00
	887	0	04	50
	898	0	01	65
	897	0	01	28
	892	0	10	50
	891	0	07	00
	890	0	03	50
	Cart track	0	01	28
	859	0	16	80
	858	0	00	90
	855	0	01	50
	860	0	14	25
	862	0	07	20
	Cart track	0	01	05
	863	0	16	35
	781	0	21	30
	785	0	01	20
	783	0	07	35
	784	0	13	65
	Cart track	0	01	95
	696	0	15	90
	697	0	03	60
	695	0	18	75
	694	0	01	28
	691	0	01	28

1	2	3	4	5
	693	0	10	80
	692	0	11	55
	682	0	08	10
	683	0	09	00
	684	0	09	75
	685	0	11	25
	Cart track	0	01	05
	565	0	18	15
	569	0	00	50
	564	0	13	50
	563	0	03	45
	562	0	00	72
	553	0	02	25
	554	0	12	90
	551	0	02	10
	550	0	18	75
	Cart track	0	01	80
	351	0	19	50
	337	0	01	60
	336	0	20	90
	335	0	03	75
	287	0	21	90
	261	0	26	15
	260	0	23	70
	Cart track	0	02	55
	138	0	12	00
	139	0	02	25
	135	0	06	75
	134	0	04	95
	133	0	15	15
	Cart track	0	01	35
	131	0	11	85
	130	0	21	30
	125	0	09	00
	124	0	08	55
	122	0	16	80
	121	0	02	40
	112	0	33	60
	95	9	25	95
	92	0	03	15
	90	0	12	60
	91	0	14	55
	76	0	12	00
	77	0	10	50
	78	0	09	75
	79	0	03	45
	80	0	05	25

[No. O—11027/50/88—ONG-D.IV]

का.आ. 700.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कलोल-नवागाम से कोयली-फेस II तक पेट्रोलियम के परिवहन के लिये पाइपलाइन क्षेत्र तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए ।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 क 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों क प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है ।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत ।

अनुसूची

के.एन.के. फेस II की पाइप लाइन बिछाने के लिए ।

राज्य : गजरात जिला : अहमदाबाद तालुका : दसक्रोई

गांव	ब्लाक नं.	हैक्टेयर	आर.	सेंटीयर
1	2	3	4	5
बारेजा	412	0	07	60
	417	0	21	50
	414	0	03	10
	411	0	06	10
	418	0	13	10
	420	0	21	50
	422	0	03	60
	421	0	02	00
	431	0	10	50
	कार्ट ट्रैक	0	01	00
	432	0	09	30
	437	0	09	00
	439	0	11	30
	455	0	15	40
	456	0	4	00
	396	0	08	90
	कार्ट ट्रैक	0	01	00
	262	0	00	80
	263	0	16	50
	264	0	08	80
	265	0	08	10

1	2	3	4	
	242	0	22	30
	198	0	07	60
	कार्ट ट्रैक	0	01	00
	201	0	15	50
	200	0	00	30
	202	0	16	30
	190	0	08	00
	188	0	07	60
	189	0	02	60
	187	0	16	00
	166	0	12	50
	167	0	06	50
	62	0	04	00
	67	0	06	50
	75	0	16	00
	79	0	10	50
	83	0	13	70
	2500	0	25	20
	2486	0	03	30
	2499	0	05	00
	2491	0	05	40
	2494	0	13	50
	2472	0	09	00
	2471	0	00	20
	2473	0	07	50
	2466	0	08	40
	2465	0	00	80
	2464	0	06	50
	2463	0	01	80
	2454	0	05	00
	2455	0	06	50
	2452	0	12	20
	2451	0	10	90
	2450	0	08	50

[सं. ओ.-11027/51/88-ओ एन जी /डी-4]

S.O. 700.—Whereas it appear to the Central Government that it is necessary in the public interest that for the transport of petroleum from Kalol-Nawagam to Koyali-Phase II in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

PIPELINE FOR KNK PHASE II

State : Gujarat District : Ahmedabad Taluka : Dascroi

Village	Block No.	Hec.	Are	Cen.
1	2	3	4	5
Bareja	412	0	07	60
	417	0	21	50
	414	0	03	10
	411	0	06	10
	418	0	13	10
	420	0	21	50
	422	0	03	60
	421	0	02	00
	431	0	10	50
	Cart track	0	01	00
	432	0	09	30
	437	0	09	00
	439	0	11	30
	455	0	15	40
	456	0	04	00
	396	0	08	90
	Cart track	0	01	00
	262	0	00	80
	263	0	16	50
	264	0	08	00
	265	0	08	10
	242	0	22	30
	198	0	07	60
	Cart track	0	01	00
	201	0	15	50
	200	0	00	30
	202	0	16	30
	190	0	08	00
	188	0	07	60
	189	0	02	60
	187	0	16	00
	166	0	12	50
	167	0	06	50
	62	0	04	00
	67	0	06	50
	75	0	16	00
	79	0	10	50
	83	0	13	70
	2500	0	25	20
	2486	0	03	30
	2499	0	05	00
	2491	0	05	40
	2494	0	13	50
	2472	0	09	00

1	2	3	4	5
Bareja—Contd.	2471	0	00	20
	2473	0	07	50
	2466	0	08	40
	2465	0	00	80
	2464	0	06	50
	2463	0	01	80
	2454	0	05	00
	2455	0	06	50
	2452	0	12	20
	2451	0	10	90
	2450	0	08	50

[No. O-11027/51/88-ONG-D.IV]

का. आ. 701.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कलोल-नवागाम से कोयली-फेस-II तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदपाबद्ध अनुसूचि में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियो का प्रयोग करते हुए केन्द्रीय सरकार ने उसमे उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है ।

बशर्ते कि उक्त भूमि मे हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह कहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत ।

अनुसूची

के. ऐन. क. फेस II की पाइप लाइन बिछाने के लिए

राज्य : गुजरात जिला : खेड़ा तालुका : मातर

गाव	ब्लोक नं.	हेक्टेयर	आरे.	सेन्टीयर
1	2	3	4	5
सोखड़ा	79	0	06	20
	56	0	14	00
	55	0	32	70
	54	0	23	80
	315	0	16	90
	317	0	19	10
	331	0	16	80
	336	0	06	75
	328	0	11	00
	335	0	08	01
	334	0	09	60
	384	0	17	60
	386	0	13	70
	427	0	11	20
	423	0	12	80
	424	0	15	20
	419	0	08	80
	418	0	06	20
	421	0	12	80
	505	0	29	80
	506	0	04	80
	507	0	34	24
	508	0	02	76
	695	0	12	00
	528	0	06	30
	527	0	01	50
	526	0	39	40
	889	0	00	39
	577	0	15	20
	576	0	24	56
	581	0	01	67
	582/ए+बी	0	13	11
	593	0	15	76
	592	0	15	76
	608	0	16	10
	601	0	20	80
	604	0	05	72
	605	0	07	67
	649	0	25	75
	648	0	14	80
	651	0	10	20
	652	0	25	45
	643	0	00	20
	654	0	30	45

[सं. ओ-11027/52/88-ओएनजी/डी-4]

S.O. 701.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Kalol-Nawagam to Koyali-Phase-II in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

PIPELINE FOR KNK PHASE-II

State : Gujarat District : Kheda Taluka : Matar

Village	Block No.	Hec.	Are	Cen.
1	2	3	4	5
Sokhada	79	0	06	2 0
	56	0	14	00
	55	0	32	70
	54	0	23	80
	315	0	16	90
	317	0	19	10
	331	0	16	80
	336	0	06	75
	328	0	11	00
	335	0	08	01
	334	0	09	60
	384	0	17	60
	386	0	13	70
	427	0	11	20
	423	0	12	80
	424	0	15	20
	419	0	08	80
	418	0	06	20
	421	0	12	80
	505	0	29	80
	506	0	04	80
	507	0	34	24
	508	0	02	76
	695	0	12	00
	528	0	06	30
	527	0	01	50
	526	0	39	40
	889	0	00	39
	577	0	15	20
	576	0	24	56
	581	0	01	67
	582/A+B	0	13	11
	593	0	15	76
	592	0	15	76
	608	0	16	10
	601	0	20	80
	604	0	05	72
	603	0	07	67
	649	0	25	75
	648	0	14	80
	651	0	10	20
	652	0	25	45
	643	0	00	20
	654	0	30	45

[No. O-11027/52/88-ONG-D.IV]

का.आ. 702.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एस बी एजी एफ से सीमा-7 तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए ।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदपाबद्ध अनुसूचि में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है ।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत ।

अनुसूची

एस बी एजी से सीमा-7 तक पाईप लाइन बिछाने के लिए राज्य-गुजरात जिला और तालुका-महेसाना

गाव	ब्लोक नं.	हेक्टर	आर	सेन्टीयर
रामपुरा	176	0	08	52
	148	0	15	68
	150	0	12	96
	165	0	12	24
	166	0	07	44
	170	0	07	68
	174	0	01	20
	169	0	08	52

[सं.ओ -11027/53/88-ओ एन जी/डी-4]

S.O. 702.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from SBAF to SOB-7 in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-390009.

And every person making such an objection shall also state specifically whether he wished to be heard in a person or by legal practitioner.

SCHEDULE

PIPELINE FROM SBAG TO SOB-7

State : Gujarat District & Taluka : Mehsana

Village	Block No.	Hec.	Are	Cen.
1	2	3	4	5
Rampura	176	0	08	52
	148	0	15	68
	150	0	12	96
	165	0	12	24
	166	0	07	44
	170	0	07	68
	174	0	01	20
	169	0	08	52

[No. O-11027/53/88-ONG-D. IV]

का. आ. 703.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कलोल-नवागाम से कोयली-फेस-II तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए ।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतदद्वारा घोषित किया है ।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत ।

अनुसूची

के. एन. के. फेस II की पाइप लाइन बिछाने के लिए।

राज्य : गुजरात जिला : अहमदाबाद तालुका : सीटी

गांव	सर्वे नं.	हेक्टेयर	आरे.	सेन्टीयर
ओकफ	320	0	06	15
	315	0	11	30
	304	0	11	90
	156	0	07	95
	214	0	01	30
	205	0	07	50
	203	0	02	25

[सं. ओ-11027/54/88-ओ एन जी-डी-4]

S.O 703.—Whereas it appear to the Central Government that it is necessary in the public interest that for the transport of petroleum from Kalol-Nawagam to Koyali-Phase II in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-390009.

And every person making such an objection shall also state specifically whether he wished to be heard in person or by legal practitioner.

SCHEDULE

PIPELINE FROM KNK PIPELINE PHASE II

State : Gujarat District : Ahmedabad Taluka : City

Village	Survey No.	Hec.	Are	Cen.
1	2	3	4	5
Okaf	320	0	06	15
	315	0	11	30
	304	0	11	90
	156	0	07	95
	214	0	01	30
	205	0	07	50
	203	0	02	25

[No. O—11027/54/88-ONG-D.IV]

नई दिल्ली, 17 फरवरी, 1988

का.आ. 704.—यत केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में गाधार से धुवारण तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए ।

और यत यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदपावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि म उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है ।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टत. यह भी कथन करेगा कि क्या यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत ।

अनुसूची

गाधार से धुवारण तक पाइप लाइन बिछाने के लिए ।
राज्य-गुजरात जिला-खेडा तालुका-बोरसद

गाव	सर्वे न	हेक्टर	आरसेन्टीयर
1	2	3	4	5
गाजणा	383	0	46	67
	331	0	04	18
	329	0	36	61
	328	0	15	77
	383	0	03	50
	327	0	26	85
	कार्ट ट्रेक	0	07	41
	332	0	13	22
	339/1	0	13	50
	339/3	0	04	20
	339/5	0	05	40
	339/6	0	09	60
	342	0	17	63
	343/1	0	10	34
	344	0	28	20
	345/5	0	07	80
	345/4	0	12	90
	383	0	01	28
	346	0	15	22
	347/1	0	30	00
	351/2	0	00	70
	350	0	21	50
	361/2	0	21	72
	361/1	0	02	64
	360	0	38	10
	376	0	15	30
	375/3	0	08	97
	375/2	0	02	92
	375/1	0	14	40
	402/1	0	24	00
	401	0	29	90
	17	0	39	60
	20	0	21	60
	21	0	26	25
	22	0	00	75
	12	0	00	04
	24/2	0	46	80
	24/1	0	19	50
	25/1	0	13	50
	86/1	0	26	10
	87/3	0	08	36
	84/2	0	29	40
	841	0	13	08
	83/1	0	09	60
	103/2	0	10	72
	103/1	0	08	12
	103/3	0	24	90
	105/2	0	01	20
	104	0	00	36
	कार्ट ट्रेक	0	13	80
	108/2	0	05	77
	108/1	0	14	40
	107/1	0	02	25
	106/1	0	13	54
	106/2	0	16	05

[स. ओ-11027/57/86-ओएनजी-डीIII]

New Delhi, the 17th February, 1988

S.O. 704.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Gandhar to Dhuvaran in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

PIPELINE FROM GANDHAR TO DHUVARAN

State : Gujarat District : Kheda Taluka : Borsad

Village	Survey No.	Hec.	Are	Cen.
1	2	3	4	5
Gajna	383	0	46	67
	331	0	04	18
	329	0	36	61
	328	0	15	77
	383	0	03	50
	327	0	26	85
	Cart track	0	07	41
	332	0	13	22
	339/1	0	13	50
	339/3	0	04	20
	339/5	0	05	40
	339/6	0	09	60
	342	0	17	63
	343/1	0	10	34
	344	0	28	20
	345/5	0	07	80
	345/4	0	12	90
	383	0	01	28
	346	0	15	22
	347/1	0	30	00
	351/2	0	00	70
	350	0	21	50
	361/2	0	21	72
	361/1	0	02	64
	360	0	38	10
	376	0	15	30
	375/3	0	08	97
	375/2	0	02	92
	375/1	0	14	40
	402/1	0	24	00
	401	0	29	90
	17	0	39	60
	20	0	21	60
	21	0	26	25
	22	0	00	75
	12	0	00	04
	24/2	0	46	80
	24/1	0	19	50
	25/1	0	13	50
	86/1	0	26	10
	87/3	0	08	36
	84/2	0	29	40
	84/1	0	13	08
	83/1	0	09	60
	103/2	0	10	72
	103/1	0	08	12
	103/3	0	24	90
	105/2	0	01	20
	104	0	00	36
	Cart track	0	13	80
	108/2	0	05	77
	108/1	0	14	40
	107/1	0	02	25
	106/1	0	13	54
	106/2	0	16	05

[No. O-11027/57/88-ONG-D.III]

का.आ. 705.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में गांधार से धुवारण तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए ।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाबद्ध अनुसूचि में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है ।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत ।

अनुसूची

गांधार से धुवारण तक पाइप लाईन बिछाने के लिये

राज्य-गुजरात जिला-खेडा तालुका-बोरसद

गांव	सर्वे नं.	हेक्टर	आर	सेन्टीयर
1	2	3	4	5
सारोल	1001	0	07	28
	1000	0	17	70
	1003	0	22	50
	1005	0	09	80
	994	0	08	75
	कोटार	0	27	95
	984/4	0	23	25
	983/1-2	0	27	90
	981/1	0	12	30
	कोटार	0	19	20
	951/1/पी	0	07	56
	951/2	0	04	42
	951/2/पी	0	17	00
	951/1	0	01	80
	969/2	0	13	75
	968	0	10	80
	965/पी और			
	965/1/पी	0	17	11
	967	0	11	76
	966/पी	0	30	15
	कोटार	0	18	50
	843	0	08	00
	844/1	0	25	17
	847	0	00	40
	845/1	0	01	50
	845/2	0	05	06
	845/3	0	13	05
	851	0	05	52
	846	0	13	91
	852/पी	0	17	37
	852/पी	0	03	15
	854	0	03	96
	कार्ट ट्रेक	0	05	40
	859	0	00	03
	857	0	06	81
	856	0	02	40
	855	0	14	04
	कार्ट ट्रेक	0	01	50
	501	0	28	79
	502/पी	0	03	30
	508/1	0	18	90
	507/पी	0	18	66
	512/1/2	0	04	50
	515/1/2	0	13	80
	कार्ट ट्रेक	0	18	55
	516/1/पी	0	00	30
	516/2	0	00	04
	549	0	01	70
	548/1	0	04	35
	548/2	0	04	00
	558	0	10	64
	561	0	18	76
	560/पी	0	11	83
	560/पी	0	15	93
	559	0	10	98

[सं. ओ-11027/58/88-ओएनजी-डी III]

S.O. 705.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Gandhar to Dhuvaran in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by Sub section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

PIPELINE FROM GANDHAR TO DHUVARAN

State : Gujarat District : Kheda Taluka : Borsad

Village	Survey No.	Hec.	Are	Cen.
1	2	3	4	5
Sarol	1001	0	07	28
	1000	0	17	70
	1003	0	22	50
	1005	0	09	80
	994	0	08	75
	Kotar	0	27	95
	984/4	0	23	25
	983/1-2	0	27	90
	981/1	0	12	30
	Kotar	0	19	20
	951/1/P	0	07	56
	951/2	0	04	42
	951/2/P	0	17	00

1	2	3	4	5
	951/1	0	01	80
	959/2	0	13	75
	968	0	10	80
	965/P & 965/1/P	0	17	11
	967	0	11	76
	966/P	0	30	15
	Kotar	0	18	50
	843	0	08	00
	844/1	0	25	17
	847	0	00	40
	845/1	0	01	50
	845/2	0	05	06
	845/3	0	13	05
	851	0	05	52
	846	0	13	91
	852/P	0	17	37
	852/P	0	03	15
	854	0	03	96
	Cart track	0	05	40
	859	0	00	03
	857	0	06	81
	856	0	02	40
	855	0	14	04
	Cart track	0	01	50
	501	0	28	79
	502/P	0	03	30
	508/1	0	18	90
	507/P	0	18	66
	512/1/2	0	04	50
	515/1/2	0	13	80
	Cart track	0	18	55
	516/1/P	0	00	30
	516/2	0	00	04
	549	0	01	70
	548/1	0	04	35
	548/2	0	04	00
	558	0	10	64
	561	0	18	76
	560/P	0	11	83
	560/P	0	15	93
	559	0	10	98

[No. O—11027/58/88—ONG-D.III]

का. आ 706—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि कि गुजरात राज्य में गांधार से धुवारण तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए ।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है ।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के मार्फत ।

अनुसूची

गांधार से धुवारण तक पाइप लाइन बिछाने के लिये ।

राज्य-गुजरात	जिला-खेडा	तालुका -बोरसद		
गांव	सर्वे नं.	हेक्टर	आर	सेन्टीयर
गोरवा	179/2	0	18	29
	179/1	0	20	40
	178	0	18	55
	181	0	00	60

[ओ-11027/59/88/ओ एन जी-डी-III]

के. विवेकानन्द, डेस्क अधिकारी

S.O 706.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Gandhar to Dhuvaran in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

PIPELINE FROM GANDHAR TO DHUVARAN

State : Gujarat District : Kheda Taluka : [Borsad]

Village	Survey No.	Hec.	Are	Cen.
Gorva	179/2	0	18	29
	179/1	0	20	40
	178	0	18	55
	181	0	00	60

[No. O-11027/59/88-ONG-D.III]
K. VIVEKANAND, Desk Officer

नई दिल्ली, 12 फरवरी, 1988

का.आ. 707:—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा-बिजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस ऑथोरिटी ऑफ इण्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-बिजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	सारोली ता. ओलपाड जि. सूरत गुजरात	1061	31-3-84	16-11-88

[सं. ओ-12016/123/83/जीपी]

New Delhi, the 12th February, 1988

S.O. 707.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 (the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur—Saroli in Gujarat State;

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Saroli Tal. Olpad Dist. Surat. Gujarat	1061	31-3-84	16-11-87

[No. O-12016/123/83-GP]

का.आ. 708:—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा-बिजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस ऑथोरिटी ऑफ इण्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 19-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-बिजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	कठोदरा ता. ओलपाड जि. सूरत गुजरात	1064	31-3-84	16-11-87

[सं. ओ-12016/124/84 जीपी]

S.O. 708.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Kathodura Tal. Olpad Dist., Surat. Gujarat.	1064	31-3-84	16-11-87

[No. O-12016/124/83-GP]

का. आ. 709.—यतः भारत सरकार के अधिसूचना की द्वारा जैसा कि यहां सलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा–विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस ऑथोरिटी ऑफ इण्डिया लि. ने उपयक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	जोलाप ता. ओलपाड जि. सूरत गुजरात	1067	31-3-84	16-11-87

[सं. ओ-14016/132/83-जी.पी.]

S.O. 709.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto to the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur—Jothan in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D S. H.B.J.

Name of Ministry	Village	S.o. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Jothan Tal. Olpad, Dist. Surat. Gujarat	1067	31-3-84	16-11-87

[No. O-14016/132/83-GP]

का आ. 710.—यत. भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां सलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और निज पाइपलाइनें (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य मे उक्त विनिर्दिष्ट भूमि मे व्यधन स्थल स. हजारा विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस ऑथेंरिटी ऑफ इन्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (1) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गाव	का.आ.स.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	कुवरदा तालुका मांगरोल जिला सूरत गुजरात	2104	30-6-84	16-11-87

[स. ओ-12016/135/83-जी.पी.]

S.O. 710.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur—Kuvarda in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Kuvarda Tal. Mangrol, Dist. Surat, Gujarat.	2104	30-6-84	16-11-87

[No. O-12016/135/83 GP]

का.आ. 711.:—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस अॅथोरिटी ऑफ इन्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर में जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.स.	भारत के राजपत्र मे प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	मढेली ता: — बाघोडीया जिला : - बडोदरा गुजरात	1297	30-3-85	16-11-87

[सं. ओ- 14016/2/84 जी.पी.]

S.O. 711.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. HAJIRA-BIJAPUR TO JAGDISHPUR

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Madheli Tal. Waghadia List. Baroda Gujarat.	1297	30-3-85	16-11-87

[No. O-14016/2/84-GP]

का.आ. 712.:—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस ओथोरिटी ऑफ इन्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (1) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन), नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर में जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	गुताल ता: बाघोडीया जिला : बडोदरा गुजरात	4245	8-12-84	16-11-87

[सं. ओ- 12016/28/84-जी.पी.]

S.O. 712.—Whereas by the notification of Government of India as shown in the schedule appende hereto and issued India as shown in the schedule appended hereto and issued Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE D.S. HAJIRA—BIJAPUR TO JAGADISHPUR

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Gutal Tal. Waghodia Dist. Baroda Gujarat.	4245	8-12-84	16-11-87

[No. O-12016/28/84-GP]

का.आ. 713.—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस ओथॉरिटी ऑफ इन्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	वाघोडिया ता: वाघोडिया जिला : वडोदरा गुजरात ।।	4267	8-12-84	16-11-87

[सं. ओ-14016/29/84-ओ एन जी-डी-4]

S.O. 713.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. HAJIRA—BIJAPUR TO JAGDISHPUR

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Waghodia Tal. Waghodia Dist. Baroda Gujarat.	4267	8-12-84	16-11-87

[No. O-14016/29/84-ONG.D.4]

का.आ 714.—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहा सलग्न अनुसूची मे निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाईपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य मे उक्त विनिर्दिष्ट भूमि में व्यधन स्थल स. हजीरा- विजयपूर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस ओथॉरिटी आफ इन्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनाक 16-11-87 से समाप्त कर दिया गया है।

अत. अब पेट्रोलियम पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.स.	भारत के राजपत्र मे प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	टीम्बी ता: वाघोडिया जिला : वडोदरा गुजरात ।	4589	15-12-84	16-11-87

[सं० ओ० 12016/630/84 जीपी]

S.O. 714.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State.

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. HAJIRA—BIJAPUR TO JAGADISHPUR

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Timbi Tal. Waghodia Dist. Baroda Gujarat	4389	15-12-84	16-11-87

[No. O-12016/30/84-GP]

का.आ. 715 —यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल स. हजीरा विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस ऑथोरिटी ऑफ इण्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	कोशंबा तालुका-मांगरोल जिला-सूरत गुजरात	2102	30-6-84	16-11-87

[सं. ओ-14016/31/84-जीपी]

S.O. 715.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur—Kosamba in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Kosamba Tal. Mangrol Dist. Surat. Gujarat.	2101	30-6-84	16-11-87

[No. O-14016/31/84-GP]

का.आ. 716:—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस ऑथोरिटी ऑफ इण्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	धामदोद तालुका-मांगरोल जिला-सूरत गुजरात	4388	25-12-84	16-11-87

[स. ओ-14016/39/84-जीपी]

S.O. 716.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur—Dhamdod in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Dhamdod Tel. Mangrol Dist. Surat, Gujarat.	4388	25-12-84	16-11-87

[No O-14016/39/84-GP]

का.आ. 717.—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से हजीरा-बिजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं ।

गैस अथोरिटी आफ इंडिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है ।

अत: अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं ।

अनुसूची

हजीरा–बिजापुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

संस्थान का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	माडोधर ता. वाघोडीया जिला : वडोदरा गुजरात	4262	8-12-84	16-11-87

[सं ओ-12016/45/84-ओएनजी-डी-4]

S.O. 717.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira to Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. HAJIRA—BIJAPUR TO JAGDISHPUR

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Madodhar Tal. Waghodia Dist. Baroda Gujarat	4262	8-12-84	16-11-87

[No. O-12016/45/84-ONG.D.4]

का.आ. 718.—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1)के अन्तर्गत प्रकाशित किया गया है गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से हजीरा-बिजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं ।

गैस अथारिटी आफ इंडिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है ।

अत: अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की स्थिति अधिसूचित करते हैं ।

अनुसूची

हजीरा–विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

संस्थान का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	कोठाव ता. करजन जिला : बरोदरा गुजरात	1511	13-4-85	16-11-87

[स. ओ-14016/59/84-जी.पी.]

S.O. 718.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of User Land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Kothav Ta Karjan in Gujarat State.

And whereas the Gas Authority of India Ltd. has termrated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Dateof publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Kothav Tal Karjan Dist. Baroda Gujarat.	1511	13-4-85	16-11-87

[No. O-14016/58/84-GP]

का.आ. 719—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 का खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से. हजीरा–बिजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस अथारिटी आफ इंडिया लि. ने उपयुक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पेट्रोलियम पाईपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की स्थिति अधिसूचित करते हैं।

अनुसूची

हजीरा–बिजापुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	सुलतानपुरा तालुका : डभोई जिला : बड़ोदरा गुजरात	4260	8-12-84	16-11-87

[सं. ओ-12016/55/84-जी पी]

S.O. 719.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of User Land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. HAJIRA-BIJAPUR–JAGDISHPUR

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Sultanpura Tal. Dabhoi Dist. Baroda Gujarat.	4260	8-12-84	16-11-87

[No. O-12016/55/84-GP]

का.आ. 720 —यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से. हजीरा–बिजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस अथारिटी आफ इंडिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की स्थिति अधिसूचित करते है।

अनुसूची

हजीरा–बिजापुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मन्त्रालय का नाम	गांव	का आ स	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	बाणोद तालुका : डभोई जिला : बड़ोदरा गुजरात	4259	8-12-84	16-11-87

[सं ओ-12016/56/84-जी पी]

S.O. 720.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of User Land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. HAJIRA - BIJAPUR TO JAGDISHPUR

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Banod Tal. Dabhoi Dist. Baroda Gujarat	4259	8-12-84	16-11-87

[No. O-12016/56/84-GP]

का.आ. 721.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखंड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से हजीरा-बीजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस अथारिटी आफ इंडिया लि. ने उपयुक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 को समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अनुसरण में सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त करने की तिथि अधिसूचित करते है।

अनुसूची

हजीरा-बीजापुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ. सं	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	बोरवार तालुका डभोई जिला-बड़ोदरा गुजरात	4246	8-12-84	16-11-87

[सं. ओ-12016/60/84-जी.पी.]

S.O. 721.—Whe eas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Borbar Tal. Dabhoi Dist. Baroda Gujarat	4246	8-12-84	16-11-87

[No. O-12016/60/84-GP]

का.आ. 722.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से हजीरा-बिजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस ऑथोरिटी आफ इंडिया लि० ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अनुसरण में सक्षम अधिकारी द्वारा एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा बिजापुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	जियानसावटी तालुका डभोई जिला. बड़ोदरा गुजरात	2335	1-6-85	16-11-87

[सं. ओ-12016/61/84-जी.पी.]

S.O. 722.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. HAJIRA-BIJAPUR TO JAGDISHPUR

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Jiyatalavadi Tal. Dabhoi Dist. Baroda Gujarat	2335	1-6-85	16-11-87

[No. O-12016/61/84-GP]

का० आ० 723- -यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से, हजीरा-बिजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस ऑथोरिटी आफ इंडिया लि० ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया है।

अत: अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्ति की स्थिति अधिसूचित करते हैं।

अनुसूची

हजीरा-बिजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	कडधरपुरा तालुका डभोई जिला बड़ोदरा गुजरात	4247	8-12-81	16-11-87

[स० ओ-12016/62/84-जी.पी.]

S.O. 723.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired as specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Kadadharpura Tal. Dabhoi Dist. Baroda. Gujarat.	4247	8-12-81	16-11-87

[No. O-12016/62/84-GP]

का. आ. 724 -यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से, हजीरा—बिजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस अथारिटी आफ इंडिया लि. ने उपयुक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा बिजापुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का. आ. सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	छबात ता. डभोई जिला बड़ोदरा गुजरात	1218	8-12-84	16-11-87

[स. ओ-12016/63/84-जी. पी.]

S.O. 724.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired as specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Chhatral Tal Dabhoi Dist. Baroda Gujarat.	4248	8-12-84	16-11-87

[No. O-12016/63/64-GP]

का.आ. 725.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखंड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से हजीरा-बिजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि में उपयोग के अधिकार अर्जित किये गये हैं।

गैस अथारिटी आफ इंडिया लि. ने उपरोक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः, अब, पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्-द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-बिजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	स.न.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	सागडोल तालुका : वाघोडिया जिला : बड़ौदरा गुजरात	1055	31-8-35	16-11-87

[सं. ओ-11016/61/81-जी. पी.]

S.O. 725.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State.

And, whereas, the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. HAJIRA-BIJAPUR TO JAGDISHPUR

Name of Ministry	Village	S.No	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Sangdol Tal. Waghodia Dist. Baroda. Gujarat.	4055	31-8-85	16-11-87

[No. O-14016/64-84/GP]

का.आ. 726.—यतः, भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से, हजीरा-बिजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस अथारिटी आफ इंडिया लि० ने उपयुक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः, अब, पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्-द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-बिजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का आ. स.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	छतराल तालुका डभोई जिला बड़ोदरा गुजरात	4249	8-12-84	16-11-87

[सं. ओ.-12016/65/84-जी पी.]

S.O. 726.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State.

And, whereas, the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S. No.	Date of publication in the Gazette of India.	Date of termination of operation
Petroleum and Natural Gas	Thikariya Tal: Dabhoi Distt : Baroda Gujarat	4249	8-12-84	16-11-87

[No. O-12016/65/84-GP]

का. आ. 727 —यत भारत सरकार की अधिसूचना के द्वारा जैसा कि यह संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाईपलाईन (भूमि मे उपयोग के अधिकार का अर्जन) अधिनियम 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य मे उक्त विनिर्दिष्ट भूमि में व्यधन स्थल स. हजीरा—बीजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि में उपयोग के अधिकार अर्जित किये गये है।

गैस ओथोरिटी ऑफ इन्डीया लि० ने उपर्युक्त नियम के खण्ड —7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः,अब, पेट्रोलियम पाईपलाईन (भूमि मे उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम—4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि, अधिसूचित करते हैं।

अनुसूची

हजीरा बिजापुर से जगदीशपुर तक पाईप लाईन कार्य समाप्ति

मंत्रालय का नाम	गांव	का. आ स.	भारत के राजपत्र मे प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	पारीखा तालुका डभोई जिला बडोदरा गुजरात	4250	8—12—84	16—11—87

[सं ओ 12016/66/84 जी पी]

S.O. 727.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired as specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And, whereas, the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S.H.B.J.

Name of Ministry	Village	S.No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Parikha Tal: Dabhoi Dist : Baroda Gujarat	4250	8-12-84	16-11-87

[No. O-12016/66/84-GP]

का. आ. 728 :—यत. भारत सरकार की अधिसूचना के द्वारा जैसा कि यहा संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य मे उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा-बिजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि में उपयोग के अधिकार अर्जित किये गये है।

गैस ओथोरिटी ऑफ इन्डिया लि० ने उपर्युक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब, पेट्रोलियम पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा विजयपुर जगदीशपुर तक पाईप लाईन कार्य समाप्ति

मंत्रालय का नाम	गांव	का आ सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्यसमाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	मबदलपुरा तालुका डभोई जिल्ला बडोदरा	4251	8-12-84	16-11-87

[स. ओ. 12016/67/87 जी पी)]

S.O. 728.—Whereas by the notification of Government o India as shown in the schedule appended hereto and issue under sub-section (1) of section 6 of the Petroleum an Minerals Pipeline (Acquisition of Right of user land) Ac 1962 the right of user has been acquired as specifie in the schedule appended thereto for the transport of petro leum from d.s. Hajira—Bijapur to Jagdishpur in Gujara State,

And, whereas, the Gas Authority of India Ltd. has term the operations referred to in clause (i) of sub-section (1) of sec tion 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipelin (Acquisition of right of user in land) Rules, 1963, the Con petent Authority hereby notifies the said date as the dat of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.No.	Date of publication in the Gazette India	Date of termination of operation
Petroleum and Natural Gas	Abdalpura Tal: Dabhoi Distt. Baroda Gujarat	4251	8-12-84	16-11-87

[No. O-12016/67/84-GP]

का. आ. सं. 729—यत : भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाईपलाईन (भूमि म उपयोग के अधिकार का अर्जन) अधिनियम 1962 के खण्ड 6 के उपखण्ड (i) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा—विजयपुर से जगदीशपुर तक पेट्रोलियम के परिवहन के लिए भूमि में उपयोग के अधिकार अर्जित किये गये है।

गैस ओथोरिटी ओफ इण्डिया लि. ने उपयुक्त नियम के खण्ड—7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः, अब पेट्रोलियम पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम —4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचना करते हैं।

शजीरट बिजयपूर से जगदीशपुर तक पाईप लाईन कार्य समाप्ति

अनुसूची

हजीरा विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्यसमाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	वागादरा तालुकाडभोई जिला बडोदरा गुजरात	4252	8-12-84	16-11-87

[सं. ओ. 12016/68/84-जी पी]

S.O. 729.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And, whereas, the Gas Authority of India Ltd. has terminated operations referred to ni clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S.H.B.J.

Name of Ministry	Village	S.No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Vanadra Taluka : Dabhoi Distt:Baroda. Gujarat	4252	8-12-84	16-11-87

[No. O-12016/68/84-GP]

का. आ. 730—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा—विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि के उपयोग में के अधिकार अर्जित किये गये है।

गैस ओथोरिटी ओफ इण्डिया लि. ने उपयुक्त नियम के खण्ड—7 के उपखण्ड (i) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत अब, पेट्रोलियम पाईपलाई (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम —4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि का कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा विजयपुर से जगदीशपुर तक पाईप लाईन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.स.	भारत के राजपत्र में प्रकाशन की तिथि	कार्यसमाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	वायादपुरा तालुका उमाई जिला बडोदरा	32	5-1-85	16-11-87

[सं. ओ.-12016/69/84-जीपी]

S.O. 730.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And, whereas, the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S No	Date of publication in the Gazette of India.	Date of termination of operation
Petroleum and Natural Gas	Vayadpura Taluka Dabhoi Distt Baroda, Gujarat	32	5-1-85	16-11-87

[No O-12016/69/84-GP]

S.O. 731.—Whereas the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act 1962 the right of user has been acquired in the land specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State.

And, whereas, the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PILELINE FROM D.S. H.B.J

Name of Ministry	Village	S No	Date of publication in the Gazette of India.	Date of termination of operation
Petroleum and Natural Gas	Kayavarohan Taluka Dabhoi Distt Baroda Gujarat.	4390	15-12-84	16-11-87

[No O-12016/70/84-GP]

S.O. 732.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the land specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State

And, whereas, the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub section (1) section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Nariya Taluka : Dabhoi Distt. Baroda Gujarat	4285	14-9-85	16-11-87

[No. O-12016/71/84-GP]

का. आ. 733.—यत : भारत सरकार की अधिसूचना के द्वारा जैसा कि यहा संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से हजीरा बिजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है ।

गैस अथोरिटी आफ इन्डीया लि ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पेट्रोलियम पाइपलाइन (भूमि मे उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा–बिजापुर से जगदीशपुर तक पाइपलाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	बनैया तालुका ढभोई जिला–बडोदरा गुजरात	4253	8-12-84	16-11-87

[सं ओ -12016/72/84-जी पी]

S.O. 733.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the land specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State.

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India.	Date of termination of operation
Petroleum and Natural Gas	Banaiya Taluka : Dabhaoi Distt : Baroda.	4253	8-12-84	16-11-87

[No O-12016/72/84-GP]

का. आ. 734.—यत : भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य मे उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से हजीरा बिजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि में उपयोग के अधिकार अर्जित किये गये है ।

गैस अथोरिटी ओफ इन्डिया लि ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) मे विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है ।

अत अब पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है ।

अनुसूची

हजीरा-बीजापुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय नाम	गांव	का.आ.सं.	भारत के राजपत्र मे प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	गजपुर तालुका— डभोई जिला बडोदरा गुजरात	4255	8-12-84	16-11-87

[सं ओ -12016/74/84-जीपी]

S.O. 734.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the land specified in the schedule appended thereto fo rthe transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State.

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.O.No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Sejpura Taluka : Dabhoi Distt. Baroda. Gujarat	4255	8-12-84	16-11-87

[No. O-12016/74/84-GP]

का. आ. सं. 735 :—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से हजीरा बीजापुर से जगदीशपुर तक पैट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस ओथोरीटी ओफ इन्डीया लि. ने उपयुक्त नियम के खण्ड – 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाईपलाईन (भूमि के उपयोग के अधिकार का अर्जन, नियम, 1963 के नियम–4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा–बीजापुर से जगदीशपुर तक पाईपलाईन कार्य समाप्ति

मंत्रालय का नाम	गांव	का. आ. सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	वेमनीया ता : वाघोडीया जिला : वडोदरा गुजरात	298	26-1-85	16-11-87

[सं. ओ-12016/75/84-जी पी]

S.O. 735.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira– Bijapur to Jagdishpur in Gujarat State.

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.O.No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Vesariya Taluka Waghodia Distt. Baroda. Gujarat	298	26-1-85	16-11-87

[No. O-12016/75/84-GP]

का. आ. 736 :—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहा संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल हजीरो विजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस ओथोरीटी ओफ इन्डीया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाईपलाईन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम–4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा विजापुर से जगदीशपुर तक पाईपलाईन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ. सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	थुवावी तालुका डभोई जिला— बडोदरा गुजरात	1299	30-3-85	16-11-87

[सं.ओ.-12016/76/84-जी पी]

S.O. 736.—Whereas by the notification of Government of India as shown in the Schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira –Bijapur to Jagdishpur in Gujarat State.

And, whereas, the Gas Authority of India Ltd., has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.O.No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Thuvavai Taluka : Dabhoi Distt : Baroda. Gujarat.	1299	30-3-85	16-11-87

[No. O-12016/768/1-GP]

का. आ. 737.—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पैट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में कथन स्थल बिजापुर से जगदीशपुर तक पैट्रोलियम परिवहन के लिए भूमि के उपयोग के अधिकार अर्जित किये गये हैं।

गैस अथोरिटी ओफ इन्डिया लि. ने उपर्युक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 66-11-87 से समाप्त कर दिया गया है।

अत: अब पैट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा--बिजापुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ. सं	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पैट्रोलियम और प्राकृतिक गैस विभाग	कोठारा तालुका डभोई जि. बडौदरा गुजरात	297	26-1-85	16-11-87

[सं. ओ-12016/79/84 जी पी.]

S.O. 737.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State.

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16 11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

88/465 GI—9

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S O.No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Kothara Taluka . Dabhoi Distt : Baroda. Gujarat	297	26-1-85	16-11-87

[No. O-12016/79/84-GP]

का. आ. 738 :—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पैट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में कथन स्थल हजीरा बिजापुर से जगदीशपुर तक पैट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस अथोरिटी ओफ इण्डिया लि ने उपयुक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पैट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा बिजापुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का. आ. सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पैट्रोलियम और प्राकृतिक गैस विभाग	मढ़वन तालुका मंगरौल जिला सूरत	295	26-1-85	16-11-87

[सं० ओ-12016/87/84-जी पी.]

S.O. 738.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State.

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Mahuvej Taluka Mangrol Distt : Surat Gujarat.	295	26-1-85	16-11-87

[No. O-12016/87/84-GP]

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.No.	Date of publication in the Gazette of India.	Date of termination of operation
Petroleum and Natural Gas	Hingasthali Taluka Dabhoi Distt : Baroda. Gujarat.	296	26-1-85	16-11-87

[No. 12016/87/84-GP]

का.आ. 739.—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पैट्रोलियम और खनिज पाइपलाइन (भूमि मे उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य मे उक्त विनिर्दिष्ट भूमि में व्यधन स्थल हजीरा-बिजापुर से जगदीशपुर तक पैट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस ओथोरिटी आफ इण्डिया लि० ने उपयुक्त नियम के खण्ड 7 के उपखंण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पैट्रोलियम पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा--विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ. सं	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पैट्रोलियम और प्राकृतिक गैस विभाग	लीगस्थली तालुका--डभोई जिला--बडोदरा गुजरात	296	26-1-85	16-11-87

[सं० ओ-12016/87/84-जी पी]

S.D. 739.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira--Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date to above.

का. आ. 740.—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पैट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा-विजयपुर से जगदीशपुर तक पैट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस ओथोरिटी आफ इण्डिया लि. ने उपयुक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 20-11-87 से समाप्त कर दिया गया है।

अत : अब पैट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचना करते है।

अनुसूची

हजीरा-बिजापुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पैट्रोलियम और प्राकृतिक गैस विभाग	खरोड़ ता--अंकलेश्वर जि. भरुच गुजरात	3558	27-7-85	16-11-87

[स. ओ. 14016/111/84-जी पी.]

S.O. 740.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State.

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.No.	Date of publication in the Gazette of India.	Date of termination of operation
Petroleum and Natural Gas	Khatod Taluka Ankleshwar Distt : Bharuch, Gujarat	3558	27-7-85	16-11-87

[No. O-14016/111/84-GP]

का. आ. 741—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पैट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा—विजयपुर से जगदीशपुर तक पैट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस ओथोरिटी आफ इण्डिया लि. ने उपयुक्त नियम के खण्ड खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-12-87 से समाप्त कर दिया गया है।

अत: अब पैट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइपलाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.स.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पैट्रोलियम और प्राकृतिक गैस विभाग	रानीपुरा तालुका देवगढ़ बारीया जिला—पंचमहल गुजरात	2361	1-6-85	16-11-87

[सं. ओ-12016/374/84-जी पी]

S.O. 741.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired as specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.O.No.	Date of publication in the Gazette of India.	Date of termination of operation
Petroleum and Natural Gas	Ranipura Taluka : Devgadh-Baria.	2361	1-6-85	16-11-87

[No. O-12016/374/84-GP]

का.आ. 742.—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस ओथोरिटी आफ इण्डिया लि., ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम -4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.स.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
1	2	3	4	5
पैट्रोलियम और प्राकृतिक गैस विभाग	गुठाया तालका सीमखेडा जि:-पंचमहल गुजरात	2947	29-6-85	16-11-87

[सं. ओ.-14016/376/84-जी.पी.]

S.O. 742.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired as specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira-Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N.No.	Date of publication in the Gazette of India.	Date of termination of operation
Potroleum and Netnral Gas	Chutiya Taluka Limkheda Distt : Panchmahal Gujarat	2947	29-6-85	1 -11-87

[No. O-14016/376/84-GP]

का.आ. 743.—यत. भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस ऑथोरिटी आफ इण्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइप लाईन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गाव	का.आ.स	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
1	2	3	4	5
पेट्रोलियम और प्राकृतिक गैस विभाग	खारीया तालुका लोमखेडा जिला :-पचमहल गुजरात	2526	8-6-85	16-11-87

[सं. ओ -14016/381/84-जी.पी.]

S.O. 743.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired as specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N.No	Date of publication in the gazette of India.	Date of termination of operation
Potroleum and Natural Gas	Kheriya Taluka Limkheda Distt : Panchmahal Gujarat	2526	8-6-85	16-11-87

[No. O-14016/381/84-GP]

का.आ. 744.—यत. भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में पेट्रोलियम स्थल सं. हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस ऑथोरिटी आफ इण्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गाव	का.आ.स	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
1	2	3	4	5
पेट्रोलियम और प्राकृतिक गैस विभाग	चेनपुर तालुका :- देवगढ़ बारीया जिला पंचमहल्स गुजरात	2920	29-6-85	16-11-87

[सं. ओ.-12016/438/84-जी.पी.]

S.O. 744.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired as specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D S H B.J.

Name of Ministry	Village	S.N.No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Chenpur Taluka : Devgadh Baria. Distt: Panchmahal Gujarat	2920	29-6-85	16-11-87

[No. O-12016/438/84-GP]

का.आ. 745.—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा—विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिये भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस ऑथोरिटी आफ इण्डिया लि., ने उपयुक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पेट्रोलियम पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करता है।

अनुसूची

हजीरा—विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
1	2	3	4	5
पेट्रोलियम और प्राकृतिक गैस विभाग	सुलतानपुरा हलोल जि. पंचमहल गुजरात	2525	8-6-85	16-11-87

[सं. ओ.-12016/441/84-जी.पी.]

S.O 745.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D S H.B.J.

Name of Ministry	Village	S N.No.	Date of publication in the Gazette of India.	Date of termination of operation
Petroleum and Natural Gas	Siltanpura Halol Distt : Panchmahal Gujarat.	2525	8-6-85	16-11-87

[No O-12016/441/84-G P]

का.आ. 746.—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल में हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस ऑथोराटी ऑफ इण्डिया लि., ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पेट्रोलियम पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
1	2	3	4	5
पेट्रोलियम और प्राकृतिक गैस विभाग	अगरोया तालुका — देवगढ़बारिया जिला-पंचमहल गुजरात	3391	20-7-85	16-11-87

[सं. ओ.-14016/112/84-जी.पी.]

S.O. 746.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued

under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired as specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira-Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on . .

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J

Name of Ministry	Village	S No	Date of publication in the Gazette of India	Date of termination of operation
Petrloleum and Natural Gas	Dangari Taluka Devgadh-Baria Distt. Panchmahaul Gujarat	3391	20-7-85	16-11-87

[No. O-14016/442/84—GP]

का.आ 747 -यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां सलग्न अनुसूची मे निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि क उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य मे उक्त विदिष्ट भूमि मे व्यधन स्थल स हजीरा—विजयपुर मे जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस आथारिटी ऑफ इण्डिया लि न उपयुक्त नियम के खण्ड-7 क उपखण्ड (1) की धारा (1) मे विदिष्ट कार्य दिनाक 16-11-87 से समाप्त कर दिया गया है।

अत. अब पेट्रोलियम पाइपलाइन (भूमि क उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते है।

अनुसूचा

हजीरा—विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मत्रालय का नाम	गाव	का आ. स	भारत के राजपत्र म प्रकाशन की तिथि	कार्य समाप्ति की तिथि
1	2	3	4	5
पेट्रोलियम और प्राकृतिक गैस विभाग	बार तालुका लीमखेड़ा जि पचमहल	3032	29-6-85	16-11-87

[स. आ - 14016/444/84-जी पी.]

S.O. 747.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired as specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira-Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J

Name of Ministry	Village	S. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Bar taluka-Limkheda Distt. Panchmahal Gujarat	3032	29-6-85	16-11-87

[No. O-14016/444/84—GP]

का.आ 748—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां सलग्न अनुसूची म निर्दिष्ट किया गया है कि और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य मे उक्त विनिर्दिष्ट भूमि मे व्यधनस्थल स. हजीरा-बीजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस ओथारिटी आफ इण्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (1) मे विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत अब पेट्रोलियम पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मत्रालय का नाम	गाव	का आ स.	भारत के राजपत्र मे प्रकाशन की तिथि	कार्य समाप्ति की तिथि
1	2	3	4	5
पेट्रोलियम और प्राकृतिक गैस विभाग	डांगरीया तालुका देवगढ़ बारीया जिला पचमहल गुजरात	3384	20-7-85	16-11-87

[स आ.-12016/345/84-जी पी]

S.O. 748.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired as specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira-Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Biliva Taluka Devgadh Baria Distt. Panchmahal Gujarat	3334	20-7-85	16-11-87

[No. O-12016/345/84/GP]

का.आ. 749.—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस ऑथोरीटी आफ इण्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	जालत तह: दाहोद जि: पंचमहल गुजरात	2529	8-6-85	16-11-87

[सं. ओ-14016/446/84-जी.पी.]

S.O. 749.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act 1962 the right of user has been acquired as specified in the schedule apppended thereto for the transport of petroleum from d.s. Hajira-Bijapur to Jagdishpur in Gujarat Dohad in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Jalat Ta: Dohad Distt. Panchmahal Guiarat	2529	8-6-85	16-11-87

[No—O—14016/446/84-GP]

का.आ. 750.—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस अथारिटी आफ इंडिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखंड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	कतवारा तह: दाहोद जि पंचमहल गुजरात	2945	29-6-85	16-11-87

[सं ओ-14016/117/84-जी पी]

SO. 750.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired as specified in the schedule apppended thereto for the transport of petroleum from d.s. Hajira-Bijapur to Jagdishpur in Gujarat Dohad in Gujarat State

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELING FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Katwara Teh. Dohad Distt. Panchmabal Gujarat.	2945	29-6-85	16-11-87

[No. O-14016/447/84–GP]

का. या. 751—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहा संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भमि उपयोग के अधिकार अर्जित किये गये है।

गैस अथारिटी आफ इंडिया लि. ने उपयुक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (1) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	गोलाव तालुका बारीया जिला : पंचमहल गुजरात	2632	8-6-85	16-11-87

[सं. ओ.-14016/462/84–जी पी]

S.O. 751.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user/land) Act, 1962 the right of user has been acquired in the specified in the schedule apppended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State.

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S.

Name of Ministry	Village	S.O No.	Date of publictiaon in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Gollav Taluka-Devgadh-Bariya Distt. Panchmabal Gujarat.	2632	8-6-85	16-11-87

[No. O-14016/462/84/GP]

का.आ. 752.—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस अथारिटी आफ इंडिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखंड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा—विजयपुर से जगदीशपुर तक पाइप लाईन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	गमला त० दाहोद जी० पंचमहल गुजरात	2941	29-6-85	16-11-87

[सं ओ-12016/467/84–जी पी]

S.O. 752.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the specified in the schedule apppended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur Gamala-Ta-Dohad Dist. Panchmahal in Gujarat State.

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipelire (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H B.J.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Gamla Tah. Dohad Distt. P'mahal Gujarat	2941	29-6-85	16-11-87

[No. O-12016/467/84/GP]

का.आ. 753.—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखंड (1) के अधीन प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

और गैस अथोरिटी आफ इंडिया लि. ने उपयुक्त नियम के खण्ड 7 के उपखंड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्-द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइपलाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	टिम्बा तालुका : लिमखेड़ा जिला पंचमहल गुजरात	2946	29-6-85	16-11-87

[सं. ओ-12016/469/84-जी. पी.]

S.O. 753.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule apppended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Timba Taluka Limkheda Distt. Panchmahal Gujarat	2946	29-6-85	16-11-86

[No. O-12016/469/84/GP]

का.आ. 754—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखंड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस अथोरिटी आफ इंडिया ली. ने उपयुक्त नियम के खण्ड 7 के उपखंड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते है।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	कचोलीया तालुका लिमखेड़ा जिला पंचमहल गुजरात	2071	11-5-85	16-11-87

[सं. ओ-12016/471/84-जी.पी]

S.O. 754.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule apppended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S H.B.J.

Name of Ministry	Village	S. O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Katholiya Taluka–Limkheda Distt. Panchmahal Gujarat	2071	11-5-85	16-11-87

[No. O-12016/471/84/ C P

का.आ. 755.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखंड (1) के अन्तर्गत प्रकाशित किया गया है गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल हजीरा-बीजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस आथोरिटी आफ इंडिया लि. ने उपयुक्त नियम के खण्ड 7 के उपखंड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	पटवान तालुका : लिमखेड़ा जि पंचमहल गुजरात	2943	29-6-85	16-11-87

[सं. ओ-12016/172/84-86 जो पी.]

S.O. 755.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule apppended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J

Name of Ministry	Village	S O No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Patwan Taluka-Limkheda Distt. Panchmahal Gujarat	2943	29-6-85	16-11-87

[No. O-12016/472/84]

का.आ. 756.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखंड (1) के अन्तर्गत प्रकाशित किया गया है गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस अथोरिटी आफ इंडिया लि० ने उपयुक्त नियम के खंड-7 के उपखंड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	नानी खरज तह : दोहाद जिला पंचमहल गुजरात	2072	11-5-85	16-11-87

[सं. ओ-12016/474/84-जी पी]

S.O. 756.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule apppended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur NaniKharaj-TA Dohad Dist. P'mahal in Gujarat State.

And whereas, by the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPE LINE FROM D.S. H.B.J.

Name of Ministry	Village	S.O No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Nani-Kharaj Ta-Dohad Distt. P'Mahal Gujarat	2072	11-5-85	16-11-87

[No. O-12016/474/84–GP]

का.आ. 757.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम 1962 के खण्ड 6 के उपखंड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में, अधव्र स्थल से हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस ओथोरिटी आफ इंडिया लि. ने उपयुक्त नियम के खण्ड 7 के उपखंड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम प्राधिकारी एतद् द्वारा उक्त तिथि को कार्य समाप्त की स्थिति अधिसूचित करते है।

अनुसूची

हजीरा-विजयपुर-जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	शेरपुरा तालुका देवगढ बारीया जिला : पंचमहल गुजरात	2943	29-6-85	16-11-87

[सं. ओ-14016/492/84-जी.पी.]

S.O. 757.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H. B.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Sherpura Taluka Devgodh-Baria Distt. Panchmahal Gujarat	2943	29-6-85	16-11-1987

[No. O-14016/492/84–GP]

का.आ. 758.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाईन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखंड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में अधव्र स्थल से हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस अथोरिटी आफ इंडिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखंड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम प्राधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	रुपाखारी तालुका : देवगढ बारीया जिला : पंचमहल गुजरात	3390	29-6-85	16-11-87

[सं० ओ 12016/514/84 जी०पी]

S.O. 758.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as of

SCHEDULE

TERMINATION OF PIPELINE FROM D.S.

Name of Ministry	Village	S O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Ruvabari Taluka Devgadh-Baria Distt. Panchmahal Gujarat	3390	20-7-85	16-11-87

[No. O-12016/514/84-GP]

का.आ. 759.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम 1962 के खण्ड 6 के उपखंड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं० हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस आथारिटी आफ इंडिया लि. ने उपयुक्त नियम के खंड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	खंगेला ता. दाहोद जिला : पंचमहल गुजरात	2527	8-6-85	16-11-87

[सं. ओ-12016/515/84-जी पी]

S.O. 759.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur—Khemgela—TA Dohad in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S H B.J.

Name of Ministry	Village	S O. No	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Khageia Taluka Dohad Distt. Panchmahal Gujarat	2527	8-6-85	16-11-87

[N . O-12016/515/84-GP]

का. आ. 760.—यत भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किए गए हैं।

गैस अथोरिटी आफ इण्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.स.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति को तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	मोटो खरज पो. दारोद जी. पंचमहल	2968	29-6-85	16-11-87

[सं. ओ. 12016/516/84/जी.पी.]

S.O. 760.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d s. Hajira—Bijapur to Jagdishpur—Moti Khureej—TA Dohad in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Moti-Kharaj Ta. Dohad Distt. Panchmahal Gujarat.	2968	29-6-85	16-11-87

[No O-12016/516/84-G.P.]

का. आ. 761.—यत भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाईन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से. हजीरा विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किए गए है ।

गैस आथोरिटी आफ इन्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) मे विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है ।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के लिए अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम प्राधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है ।

अनुसूची

हजीरा विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.स.	भारत के राजपत्र मे प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	मुरोडी ता-धारोद जी पंच-महल गुजरात	3035	29-6-85	16-11-87

[सं. ओ. 12016/46/85 जी. पी.]

S.O. 761.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur—Bhatodi—TA Dohad in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D S H.B.J.

Name of Ministry	Village	S.O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Bhutadi Ta. Dohad Distt. P'mahal Gujarat.	3035	29-6-85	16-11-87

[No O-12016/46/85-GP]

का. आ. 762.—यत. भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है गुजरात राज्य मे उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से. हजीरा विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किए गए है ।

गैस आथारिटी आफ इन्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है ।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते है।

अनुसूची

हजीरा विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.स.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	राजली तालुका डभोई जिल्ला बडोदरा गुजरात	4257	8-12-84	16-11-87

[सं. ओ. 12016/57/85/जी पी]

S O. 762.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of of to

SCHEDULE

TERMINATION OF PIPELINE FROM D S H.B.J.

Name of Ministry	Village	S.O. No	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Rajali Tal. Dalhboi Distt Baroda Gujarat	4257	8-12-84	16-11-87

[No. O-12016/57/85-GP]

का. आ. 763.—. यत. भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं: हजीरा—विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किए गए हैं ।

गैस अथारिटी आफ इन्डिया लि. ने उपयुक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (1) मे विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है ।

अत. अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा विजयपुर-जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गाव	का. आ. सं.	भारत के राजपत्र मे प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	सामलीया तालुका बारीया जिला. पंचमहाल गुजरात	2999	29-6-85	16-11-87

[सं.ओ-12016/66/85-जी पी]

S.O. 763.—Whereas by the notificaiton of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S H.B.J.

Name of Ministry	Village	S N. No	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Simaliya Taluka. Devgadh Baria Distt. Panchamahal Gujarat.	2999	29-6-85	16-11-87

[No. O-12016/66/85- GP]

का.आ 764—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं ।

गैस ओथोरिटी ऑफ इन्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है ।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है ।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गाव	का.आ.स.	भारत के राजपत्र मे प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	आंबा तालुका लीमखेडा जिला पंचमहाल गुजरात	3366	20-7-85	16-11-87

[सं. आ-14016/470/85-जी. पी.]

S.O. 764.—Whereas by the Notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S

Name of Ministry	Village	S.N. No	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Amba Taluka-Limkheda Distt Panchamahal Gujarat	3366	20-7-85	16-11-87

[No O-14016/470/85-GP]

का. आ. 765.—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखंड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में अयजन स्थान सं. हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किए गए हैं।

गैस आथोरिटी आफ इण्डिया लि. ने उपयुक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पेट्रोलियम पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का. आ. सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	सागडोल तहसील करजन जिला बड़ोदरा गुजरात	5345	30-11-85	16-11-87

[सं. ओ.-12016/489/85-जी पी]

S.O. 765.—Whereas by the Notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D S H.B J.

Name of Ministry	Village	S.N No	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Sagdol Tal. Karjan Gujarat	5345	30-11-85	16-11-87

[No. O-12016/489/85-GP]

का. आ. 766.—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है गुजरात राज्य में उक्त विनिर्दिष्ट भूमि के अयजन स्थान सं. हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किए गए है।

गैस आथोरिटी आफ इण्डिया लि. ने उपयुक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पेट्रोलियम पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का. आ. सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	मालोद ता. करजन जिला बड़ोदरा गुजरात	5346	30-11-85	16-11-87

[सं. ओ.-14016/490/85-जी पी]

S.O. 766.—Whereas by the Notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in

the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State.

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. HAJIRA-BIJAPUR—JAGDISHPUR

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Modod Tal: Karjan Dist. Baroda Gujarat	5346	30-11-85	16-11-87

[No. O-14016/490/85—GP]

का. आ. 767.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि के व्यधन स्थल सं. हजीरा—विजयपुर—जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किए गए हैं ।

गैस आथोरिटी आफ इण्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है ।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है ।

अनुसूची

हजीरा—विजयपुर—से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	पपरोद ता. अंकलेश्वर जि. भरुच गुजरात	5347	30-11-85	16-11-87

[सं. ओ.-12016/491/85—जी पी]

S.O. 767.—Whereas by the Notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State.

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Piprod Tal. Ankleshwar Dist. Bharuch. Gujarat	5347	30-11-85	16-11-87

[No. O-12016/491/85—GP]

अधिसूचना

का. आ. 768.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं हजीरा—विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किए गए हैं ।

गैस आथोरिटी आफ इण्डिया लि ने उपयुक्त नियम के खण्ड -7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है ।

अत. अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं ।

अनुसूची

हजीरा--विजयपुर--से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.सं	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	कपलसाडी ता. जगडीया जि. भरुच गुजरात	5348	30-11-85	16-11-87

[सं. ओ.-14016/492/85—जी पी]

S.O. 768.—Whereas by the Notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur—Keepalsudi in Gujarat State.

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Kapulsudi Tah. Zugdia Distt. Bharucha Gujarat	5348	30-11-85	16-11-87

[No. O-14016/492/85—GP]

का. आ. 769.—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किए गए हैं ।

गैस ओथोरिटी आफ इण्डिया लि. ने उपयुक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है ।

अत: अब पेट्रोलियम पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं ।

अनुसूची

हजीरा-विजयपुर—से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का.आ.स	भारत के राजपत्र मे प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	मोटी—कोरल ता.—करजन जि.—बडोदरा गुजरात	5349	30-11-85	16-11-87

[सं. ओ-12016/493/85—जी पी]

S.O. 769.—Whereas by the Notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State.

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Moti Karal Tel. Karjan Dist. Baroda Gujarat	5349	30-11-85	16-11-87

[No. O-12016/493/85—GP]

का. आ. 770.—यत : भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पैट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य मे उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा विजयपुर से जगदीशपुर तक पैट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस ओथोरिटी ऑफ इन्डिया लि. ने उपयुक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) मे विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत : अब पैट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त तिथि अधिसूचित करते हैं

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का. आ. सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्यसमाप्ति की तिथि
पैट्रोलियम और प्राकृतिक गैस विभाग	बाघपुर ता. जगदीया जी भरुच गुजरात	5350	30-11-85	16-11-87

[सं. ओ 12016/494/85-जी पी]

S.O. 770.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur—Vaghpura in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Vaghpura	5350	30-11-85	16-11-87

[No. O-12016/494/85-GP]

का. आ. 77 .—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पैट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से हजीरा-जगदीशपुर तक पैट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस अथॉरिटि, आफ इन्डिया लि. ने उपयुक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पैट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ती

मंत्रालय का नाम	गांव	का. आ. सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पैट्रोलियम और प्राकृतिक गैस विभाग	वेडेपाड ता. जगदीशपुरा जि भरुच गुजरात	5351	30-11-85	16-11-87

[सं. ओ. 14016/495/85-जी पी]

S.O. 771.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur-Avidhu in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notices the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Vanthovad Tal: Zugadia Dist. Bharuch Gujarat	5351	30-11-87	16-11-87

[No. O-14016/495/85-GP]

का. आ. 772.—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पैट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग में अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से हजीरा विजयपुर से जगदीशपुर तक पैट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस अथॉरिटि, आफ इन्डिया लि. ने उपयुक्त नियम के खण्ड 7 के उपखंड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पैट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ती

मंत्रालय का नाम	गांव	का. आ. सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पैट्रोलियम और प्राकृतिक गैस विभाग	सुलतानपुर तह. जगडीया जि. भरुच गुजरात	5352	30-11-87	16-11-87

[सं. ओ.-14016/496/85-जी पी]

S.O. 772.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur—Sultanpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural	Syltanpura Tel. Zagadia Distt. Bharuch Gujarat	5352	30-11-85	16-11-87

[No. O-14016/496/85-GP]

का. आ. 773:—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पैट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल स हजीरा विजयापुर से जगदीशपुर तक पैट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस ओथोरिटी ऑफ इन्डिया लि ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है

अतः अब पैट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा—विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का०आ०सं०	भारत के राजपत्र में की तिथि प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पैट्रोलियम और प्राकृतिक गैस विभाग	पुरा ता. करजन जिला बड़ोदरा गुजरात	5353	30-11-85	16-11-87

[सं. ओ-12016/497/85-जी.पी.]

S.O. 773.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Pura Tal: Karjan in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of Right of User in Land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Pura Tel: Karjan Dist Baroda Gujarat	5353	30-11-85	16-11-87

[No. O-12016/497/85-GP]

का. आ. 774—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पैट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग में अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल स हजीरा विजयपुर से जगदीशपुर तक पैट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस ओथारिटी ऑफ इन्डिया लि. ने उपयुक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पैट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथ को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का०आ०सं०	भारत के राजपत्र में प्रकाशन तिथि	कार्य समाप्ति की तिथि
पैट्रोलियम और प्राकृतिक गैस विभाग	बेमार ता. करजन जिला बड़ोदरा गुजरात	5354	30-11-85	16-11-87

[स. ओ.-12016/498/85-जी. पी.]

S.O. 774.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause 'i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Vemar Tal. Karjan Distt. Baroda Gujarat	5354	30-11-85	16-11-87

[No. O-12016/498/85-GP]

का.आ. 775—भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पैट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में वर्णन स्थल सं. हजीरा विजयपुर से जगदीशपुर तक पैट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस ओथोरिटी आफ इण्डिया लि० ने उपयुक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पैट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा—विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ती

मंत्रालय का नाम	गांव	का.आ. सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पैट्रोलियम और प्राकृतिक गैस विभाग	अवधि तह.जगडीया जिला भरुच	5355	30-11-85	16-11-87

[सं. ओ-12016/499/85—जी पी]

S.O. 775.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pi, eline (Acquisition of Right of User of Land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bajapur to Jagdishpur-Avidhu in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1, of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D. S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Avidha Teh. Zagudia Distt. Bharuch Gujarat	5355	30-11-85	16-11-87

[No. O-12016/499/85—GP]

का. आ. 776:—अब भारत सरकार की अधिसूचना के द्वारा जैसा कि यहा संलग्न अनुसूची मे निर्दिष्ट किया गया है और पैट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गजरात राज्य में उक्त विनिर्दिष्ट भूमि में वर्णन स्थल सं. हजीरा विजयपुर से जगदीश पुर तक पैट्रोलियम परिवहन के लिए भूमि के अधिकार अर्जित किये गये है।

गैस ओथारिटी आफ इंडिया लि. ने उपयुक्त नियम के खण्ड (1) की धारा (i) मे विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पैट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइपलाइन कार्य समाप्ति

मंत्रालय का नाम	गाव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की	कार्य समाप्ति की तिथि
पैट्रोलियम और प्राकृतिक गैस विभाग	जरसाड तह जगडीया जिला भरुच गुजरात	5356	30-11-85	16-11-87

[सं. ओ.-14016/500/85-जी पी]

S.O. 776.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Jarsad Teh. Jagdia Distt. Bhurach Gujarat	5356	30-11-85	16-11-87

[No. O-14016/500/85—GP]

का.आ. 777.—यत भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची मे विनिर्दिष्ट किया गया है और पैट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम (1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य मे उक्त विनिर्दिष्ट भूमि मे मे व्यवधान स्थल म. हजीरा–विजयपुर से जगदीशपुर तक पैट्रोलियम परिवहन के लिए भूमि उपयोग क अधिकार अर्जित किए गए है।

गैस अथोरिटी ऑफ इन्डिया लि ने उपयुक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (1) मे विनिर्दिष्ट कार्य दिनांक 16-11-87 मे समाप्त कर दिया गया है ।

अत: अब पैट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि का कार्य समाप्त की तिथि अधिसूचित करते है ।

अनुसूची

हजीरा—विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का. आ. सं	भारत के राजपत्र मे प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पैट्रोलियम और प्राकृतिक गैस	कराखेल ता. अंकलेश्वर जिला. भरुच गुजरात	5363	30-11-85	16-11-87

[सं॰ ओ-14016/508/85-जी पी]

S.O. 777.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur—Kararvel in Gujarat State

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H B.J

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Kararvel Tal. Ankleshwar Dist. Bharuch. Gujarat	5363	30-11-85	16-11-87

[No. O-14016/508/85—GP]

का आ 778.—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची मे निर्दिष्ट किया गया है और पैट्रोलियम और खनिज पाइपलाइने (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि मे व्यवधान स्थल मे हजीरा–विजयपुर जगदीशपुर तक पैट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस अथोरटी आफ इन्डिया लि ने उपयुक्त नियम के खण्ड (7) के उपखण्ड (1) की धारा (1) मे विनिर्दिष्ट कार्य दिनांक 16-11-87 में समाप्त कर दिया गया है ।

अत. अब पैट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा विजयपुर से जगदीशपुर तक पाइपलाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का. आ. स.	भारत के राजपत्र मे प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पैट्रोलियम और प्राकृतिक गैस विभाग	जसदर ता. अंकलेश्वर जिला भरुच गुजरात	5357	30-11-85	16-11-87

[स ओ-12016/501/85-जी पी]

S.O. 778.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum

from d.s. Hajira—Bijapur to Jagdishpur—Uvadar in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Uvadar Tal. Ankleshwar Dist. Bharuch Gujarat	5357	30-11-85	16-11-87

[No. O-12016/501/85—GP]

का आ 779 —यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में विनिर्दिष्ट किया गया है और पैट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यवधन स्थल से हजीरा—विजयपुर से जगदीशपुर तक पैट्रोलियम परिवहन के लिए भूमि के उपयोग के अधिकार अर्जित किये गये है।

गैस अथोरिटी आफ इण्डिया लि. ने उपयुक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पैट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते है।

अनुसूची

हजीरा—विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ती

मंत्रालय का नाम	गांव	का.आ.सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पैट्रोलियम और प्राकृतिक गस विभाग	धालोद तह-जगडीया जिला भरुच गुजरात	5358	30-11-85	16-11-87

[सं. ओ-12016/503/85-जी पी]

S.O. 779.—Whereas by the Notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur—Bhalod in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Bhalod Tah. Lugadia Dist. Bharuch Gujarat	5358	30-11-85	16-11-87

[No. O-12016/503/85—GP]

का आ. 780 यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से हजीरा विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस अथोरिटी आफ इण्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (1) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अब अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ती

मंत्रालय का नाम	गांव	का.आ. स.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ती की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	रुन्ध तह-जगडीया जि-भरुच	5359	30-11-85	16-11-87

[सं. ओ-12016/504/85-जी पी.]

S.O. 780.—Whereas by the Notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur—Rundh in Gujarat State.

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Rundh Teh. Zagadia Distt. Bharuch Gujarat	5359	30-11-85	16-11-87

[No. O-12016/504/85—GP]

का. आ. 781—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा-बीजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं ।

गैस अथोरिटी आफ इण्डिया लि. ने उपयुक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है ।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को समाप्ति की तिथि अधिसूचित करते हैं ।

अनुसूची

हजीरा बीजापुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ती

मंत्रालय का नाम	गांव	का आ सं	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	कहोना ता : कवजन जिला वडोदरा गुजरात	5350	30-11-85	16-11-87

[सं. ओ-12016/505/85-जी.पी.]

S.O. 781.—Whereas by the Notification of Government of India as shown in the schedule apperded hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira--Bijapur to Jagdishpur in Gujarat State.

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Kahona Tal. Karjan Dist. Baruch Gujarat	5350	30-11-85	16-11-87

[No. O-12016/505/85—GP]

का.आ. 782 —यत भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं ।

गैस अथोरिटी आफ इण्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है ।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है ।

अनुसूची

हजीरा विजयपुर में जगदीशपुर तक पाइप लाइन कार्य समाप्ती

मंत्रालय का नाम	गांव	का आ स.	भारत के राजपत्र मे प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	आलमपुर ता: करजन जिला : वडोदरा गुजरात	5364	30-11-85	16-11-87

[सं ओ-12016/509/85-जीपी]

S.O. 782.—Whereas by the Notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in

the schedule appended thereto for the transport of petroleum from d.s. Hazira—Bijapur to Jagdishpur in Gujarat State;

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Allampur Tal. Karjan Dist. Baroda Gujarat	5364	30-11-85	16-11-87

[No. O-12016/509/85—GP]

का.आ. 783 :—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यसन स्थल सं. हजीरा बीजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं ।

गैस अथोरिटी आफ इन्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (1) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है ।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं ।

अनुसूची

हजीरा बीजापुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ती

मंत्रालय का नाम	गांव	का.आ.स.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	लीलोड ता. करजन जिला बड़ोदरा गुजरात	5365	30-11-65	16-11-87

[सं. ओ-12016/510/85-जीपी]

S.O. 783.—Whereas by the Notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. HAJIRA BIJAPURA — JAGDISHPUR

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Lilod Tal. Karjan Dist. Baroda Gujarat	5365	30-11-85	16-11-87

[No. O-12016/510/85—GP]

का.आ. 784 : यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यसन स्थल सं. हजीरा बीजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं ।

गैस अथोरिटी आफ इन्डीया लि. ने उपयुक्त नियम के खंड 7 के उपखण्ड (1) की धारा (1) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है ।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं ।

अनुसूची

हजीरा बीजापुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ती

मंत्रालय का नाम	गांव	का.आ.स.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	जीनोली ता: अंकलेश्वर जि : भरूच गुजरात	5366	30-11-85	16-11-87

[सं. ओ-12016/511/85-जीपी]

S.O. 784.—Whereas by the Notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act,

1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur—Jitaly in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Jitaly Tal. Ankleshwar Dist. Bharuch Gujarat	5366	30-11-85	16-11-87

[No. O-12016/511/85—GP]

का. आ. 785 : यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से हजीरा बीजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं ;

गैस अथॉरिटी आफ इण्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 15-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा बीजापुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ती

मंत्रालय का नाम	गांव	का. ग्रा. म.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ती की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	जितली ता. : अंकलेश्वर जि. : भरूच गुजरात	5367	30-11-85	16-11-87

[सं. ओ-14016/512/85-जीपी]

S.O. 785.—Whereas by the Notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur—Fulwadi in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S- H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Fulwadi Teh. Zagdia Dist. Bharuch Gujarat	5367	30-11-85	16-11-87

[No. O-14016/512/85—GP]

का. आ. 786.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल से हजीरा-बीजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस ओथोरिटी ऑफ इन्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा बीजापुर से जगदीशपुर तक पाइपलाइन कार्य समाप्ती

मंत्रालय का नाम	गांव	का. ग्रा. म.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ती की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	फतेपुर ता. : करजन जिला : बड़ोदरा गुजरात	5368	30-11-85	16-11-87

[सं. ओ-14016/513/85-जीपी]

S.O. 786.—Whereas by the Notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE D. S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India.	Date of termination of operation
Petroleum and Natural Gas	Fatepur Tal.Karjan Distt. Banda Gujarat.	5368	30-11-85	16-11-87

[No. O-14016/513/85—GP]

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Boridra Tal. Mangrol Dist. Surat Gujarat.	5369	30-11-85	16-11-87

[No. O-14016/514/85-GP]

का.श्रा. 787:—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस अथोरिटी ऑफ इन्डीया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि का कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ती

मंत्रालय का नाम	गांव	का.श्रा.स.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ती की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	बोरीदा तालुका मांगीरोल जिला : सूरत गुजरात	5369	30-11-85	16-11-87

[स. ओ-14016/511/85 जीपी]

का.श्रा. 788—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं० हजीरा विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस अथोरिटी ऑफ इन्डीया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-1 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ती

मंत्रालय का नाम	गांव	का.श्रा.स.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	बकापुर तालुका; करजन जिला : बड़ोदरा गुजरात	5350	30-11-85	16-11-87

[सं. ओ-12016/515/85-जीपी]

S.O. 787.—Whereas by the Notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur—Boridra in Gujarat State,

S.O. 788.—Whereas by the Notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Dae of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Bakapur Tal.-- Karjan. Dist. Broda. Gujarat	5350	30-11-85	16-11-87

[No. O-12016/515/85-GP]

का.आ. 789 :—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि सलग्न अनुसूची मे निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य मे उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस ऑथोरिटी ऑफ इन्डीया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) मे विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ती

मंत्रालय का नाम	गाव	का.आ.सं	भारत के राजपत्र मे प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	सीमली ता.: करजन बडोदरा गुजरात	5371	30-11-85	16-11-87

[सं. ओ-12016/516/85-जीपी]

S.O. 789.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Villgo	S.N.	Dato of publication in the Gazette of India	Dae of termination of operation
Petroleum and Natural Gas	Sinali Tal. Karjan Dist. Baroda Gujarat	5371	30-11-85	16-11-87

[No. O-12016/516/85-GP]

का.आ. 790.—यत: भारत सरकार की अधिसूचना के द्वारा जैसा कि यहा सलग्न अनुसूची मे निर्दिष्ट किया गया है पेट्रोलियम और खनिज पाइपलाईन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य मे उक्त विनिर्दिष्ट भूमि व्यधन स्थल म. हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस अथोरिटी आफ इंडिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) मे विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अत: अब पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ती

मंत्रालय का नाम	गाव	का.आ.सं.	भारत के राजपत्र मे प्रकाशन की तिथि	कार्य समाप्ति तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	करा ड ता जगदीश जि भरुच गुजरात	5373	30-11-85	16-11-87

[सं. ओ-12016/518/85-जी पी]

S.O. 790.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur—Karad in Gujarat State.

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S. N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Karad Tal. — Zaghadiya Dit. Bharuch. Gujarat.	5373	30-11-85	16-11-87

[No. O-12016/518/85-GP]

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India.	Date of temination of operation
Petroleum and Natural Gas	Dardi Talai. Karjan Dist. Baroda Gujarat.	5374	30-11-85	16-11-87

[No. O-14016/519/85-GP]

का. आ. 791.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधान से हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस आथोरिटी आफ इंडिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्-द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का. आ. सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस	दर्ली ता करजन जिला वड़ोदरा गुजरात	5374	30-11-85	16-11-87

[सं. ओ.-14016/519/85-जी पी]

का. आ. 792.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में विनिर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधान स्थल से. हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि के उपयोग के अधिकार अर्जित किये गये है।

गैस आथोरिटी आफ इण्डिया लि ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्-द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा-विजयपुर-जगदीशपुर तक पाइप लाइन कार्य समाप्ती

मंत्रालय का नाम	गांव	का. आ. स.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	मेसी ता: करजन जिला वड़ोदरा गुजरात	5375	30-11-85	16-11-87

[स. ओ-12016/520/85-जी पी.]

S.O. 791.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

S.O. 792.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of pubication in the Gazotto of India	Date of termination of operation.
Petroleum and Natural Gas	Methi Tal. Karjan Dist. Baroda Gujarat.	5375	30-11-85	16-11-87

[No. O-12016/520/85-/GP]

का. आ. 793:—यतः भारत सरकार की अधिसूचना द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है के पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस अथॉरिटी ऑफ इण्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया था।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम 4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का. आ. सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	भादी ता. अंकलेश्वर जि. भरूच गुजरात	5376	30-11-85	16-11-87

[सं. ओ-14016/521/85/—जी पी]

S.O. 793.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur—Bhadi in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum Natural Gas	Bhadi Tal. Ankleshwar Distt. Bharuch Gujarat	5376	30-11-85	16-11-87

[No. 014016/521/85—G.P.]

का. आ. 794.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल स. हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये है।

गैस अथॉरिटी ऑफ इण्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते है।

अनुसूची

हजीरा से जगदीशपुर तक पाइप लाइन कार्य समाप्ति

मंत्रालय का नाम	गांव	का. आ. स.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	हीरजीपुर ता. करजन जिला बड़ोदरा गुजरात	5377	30-11-85	16-11-87

[सं. ओ-12016/522/85-जी पी]

S.O. 794.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. HAJIRA-BIJAPUR TO JAGDISHPUR

Name of Ministry	Village	S. N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Hirajipur Tal. — Karjari Distt. Baroda Gujarat.	5377	30-11-85	16-11-87

[No. O-12016/522/85-G.P.]

का. आ. 795—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस अथोरिटी ऑफ इण्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-1 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की स्थिति अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ती

मंत्रालय का नाम	गांव	का. आ. सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	हजीरा से जगदीशपुर तक भरूच गुजरात	5378	30-11-85	16-11-87

[सं. ओ-14016/523/85-जी पी]

S.O. 795.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira—Bijapur to Jagdishpur—Dadheda in Gujarat State,

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. H.B.J.

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termition of operation
Petroleum and Natural Gas	Dudheda Tal: Zaghadia Distt. Bharuch Gujarat	5378	30-11-85	16-11-87

[No. O-14016/523/85-GP]

का. आ. 796—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा-विजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस अथोरिटी ऑफ इंडिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्ती की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ती

मंत्रालय का नाम	गांव	का. आ. सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	काव से कालीया जि. भरूच गुजरात	5379	30-11-85	16-11-87

[सं. ओ-14016/530/85-जी. पी.]

1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d s Hajira—Bijapur to Jagdishpur —Kondh in Gujarat State

And whereas the Gas Authority of India Ltd has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above

SCHEDULE

TERMINATION OF PIPELIME FROM D S H B J

Name of Ministry	Village	S N No	Date of Publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Kondh Tal Valiya Dist Bharuch Gujarat	5379	30 11-85	16-11 87

[No O—14016/550/85-M P]

का. आ. 797.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में उपयोग स्थल से हजीरा से विजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस अथॉरिटी ऑफ इण्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा-विजापुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ती

मंत्रालय का नाम	गांव	स. क्र. सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	रई तालुका लिमखेडा जि. पंचमहल गुजरात	3367	20-7-85	16-11-87

[सं. ओ-14016/68/86-जी. पी.]

S O 797.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user land) Act 1962 the right of user has been acquired in the specified in the schedule appended thereto for the transport of petroleum from d s Hajira—Bijapur to Jagdishpur in Gujarat State

And whereas the Gas Authority of India Ltd has terminated the operations referred to in clause (i) of sub section (1) of section 7 of the said Act on 16-11-87

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above

SCHEDULE

TERMINATION OF PIPELINE FROM D S H B J

Name of Ministry	Village	S N No	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Rai Taluka-Limkheda Dist Panchmahal Gujarat	3367	20-5-85	16-11-87

[No O—12016/68/86-G.P.]

का. आ. 798.—यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में उपयोग स्थल से हजीरा विजापुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि के अधिकार अर्जित किये गये हैं।

गैस अथॉरिटी आफ इण्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की तिथि अधिसूचित करते हैं।

अनुसूची

हजीरा विजापुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ती

मंत्रालय का नाम	गांव	स. क्र. सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	बोरभागीया तालुका गामवला जि. पंचमहल गुजरात	3389	20-7-85	16-11-87

[सं. ओ-14016/175/86-जी. पी.]

S.O. 798.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and

Minerals Pipeline (Acquisition of Right of user land) Act, 1962 the right of user has been acquired in the land specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira - Bijapur to Jagdishpur in Gujarat State.

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. B.B.J.

Name of Ministry	Village	S.N. No.	Date of Publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Chorbariya Taluka-Limkheda Dist. : Panchmahal Gujarat	3389	20-7-85	16-11-87

[No. O-14016/475/856-GP]

का. आ. 799--यतः भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में निर्दिष्ट किया गया है और पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य में उक्त विनिर्दिष्ट भूमि में व्यधन स्थल सं. हजीरा-बिजयपुर से जगदीशपुर तक पेट्रोलियम परिवहन के लिए भूमि उपयोग के अधिकार अर्जित किये गये हैं।

गैस ओथोरिटी ओफ इण्डिया लि. ने उपयुक्त नियम के खण्ड-7 के उपखण्ड (1) की धारा (i) में विनिर्दिष्ट कार्य दिनांक 16-11-87 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम-4 के अन्तर्गत सक्षम अधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्त की स्थिति अधिसूचित करते हैं।

अनुसूची

हजीरा-बिजयपुर से जगदीशपुर तक पाइप लाइन कार्य समाप्ती

मंत्रालय का नाम	गांव	का. आ. सं.	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम और प्राकृतिक गैस विभाग	वेजलपुर ता. वाघोडीया जिला वडोदरा गुजरात	4254	8-12-84	16-11-87

[सं. ओ.-14016/1146/86-जी पी]

राकेश कक्कड़, उप सचिव

S.O. 799.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum and Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the land specified in the schedule appended thereto for the transport of petroleum from d.s. Hajira -Bijapur to Jagdishpur in Gujarat State.

And whereas the Gas Authority of India Ltd. has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 16-11-87.

Now, therefore, under Rule 4 of the Petroleum Pipeline (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

TERMINATION OF PIPELINE FROM D.S. Hajira-Bijapur to Jagadishpur

Name of Ministry	Village	S.N. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum and Natural Gas	Vilalpur Tal. : Waghardia Distt. Baroda Gujarat	4254	8-12-84	16-11-87

[No. O-14016/1146/86-GP]

RAKESH KACKER, Dy. Secy.

खाद्य और नागरिक पूर्ति मंत्रालय

(खाद्य विभाग)

आदेश

नई दिल्ली, 9 फरवरी, 1988

का. आ. 800.—यतः केन्द्रीय सरकार ने खाद्य विभाग, क्षेत्रीय खाद्य निदेशालयों, उपाप्ति निदेशालयों और खाद्य विभाग के वेतन तथा लेखा कार्यालयों द्वारा किए जाने वाले खाद्यान्नों के क्रय, भंडारण, संचलन, परिवहन, वितरण तथा विक्रय के कृत्यों का पालन करना बंद कर दिया है जोकि खाद्य निगम अधिनियम, 1961 (1964 का 37) की धारा 13 के अधीन भारतीय खाद्य निगम के कृत्य हैं।

और यतः क्षेत्रीय खाद्य निदेशालयों, पूर्वी क्षेत्र में कार्य कर रहे और उपर्युक्त कृत्यों के पालन में लगे निम्नलिखित कर्मचारियों ने केन्द्रीय सरकार के तारीख 16 अप्रैल, 1971 के परिपत्र के प्रत्युत्तर में उसमें विनिर्दिष्ट तारीख के अंदर भारतीय खाद्य निगम के कर्मचारी न बनने के अपने आशय की उक्त अधिनियम की धारा 12 ए की उपधारा (1) के परन्तुक द्वारा अपेक्षित सूचना नहीं दी है।

अतः अब खाद्य निगम अधिनियम, 1961 (1964 का 37) यथा अद्यतन संशोधित की धारा 12 ए द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा निम्नलिखित कर्मचारियों को प्रत्येक

के सामने दी गई तारीख से भारतीय खाद्य निगम में स्थानान्तरित करती है :—

क्र. सं.	अधिकारी/कर्मचारी का नाम	केन्द्रीय सरकार के अधीन स्थायी पद	स्थानांतरण के समय केन्द्रीय सरकार के अधीन पद	भारतीय खाद्य निगम में स्थानान्तरण की तारीख
1	2	3	4	5
1.	श्री चित्तरंजन चौधरी	वरिष्ठ गोदाम कीपर	वरिष्ठ गोदाम कीपर	1-3-69

[सं. सी-18013/4/82-एफ सी 4/एफ सी 3]

ओ. पी. गुप्त, अवर सचिव

MINISTRY OF FOOD & CIVIL SUPPLIES

(Department of Food)

ORDER

New Delhi, the 9th February, 1988

S.O. 800.—Whereas the Central Government has ceased to perform the function of purchase, storage, movement, transport, distribution and sale of foodgrains done by the Department of Food, the Regional Directorates of Food, the Procurement Directorates and the Pay & Accounts Offices of the Department of Food which under section 13 of the Food Corporation Act, 1964 (37 of 1964) are the functions of the Food Corporation of India;

And whereas the following employees serving in the Regional Directorate of Food, Eastern Region, and engaged in the performance of the functions mentioned above has not, in response to the circular of the Central Government dated the 16th April, 1971, intimated within the date specified therein, his intention of not becoming employee of the Food Corporation of India as required by the proviso to sub section (1) of Section 12-A of the said Act;

Now, therefore in exercise of the powers conferred by section 12A of the Food Corporations Act, 1964 (37 of 1964) the Central Government hereby transfers the following employees to the Food Corporation of India with effect from the date mentioned against him :—

Sl. No.	Name of the Officer/ employee	Permanent post held under the Central Govt.	Post held under the Central Govt. at the time of transfer	Date of transfer to the FCI
1	2	3	4	5
1.	Sh. Chitta Ranjan Chowdhury	Senior Godown Keeper	Senior Godown Keeper	1-3-69

[F. No. 1C-18013/4/82-FC. IV/FC. III]

O. P. GUPTA, Under Secy.

ऊर्जा मंत्रालय

(कोयला विभाग)

नई दिल्ली, 5 फरवरी 1988

का.आ. 801.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाबद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है ;

अतः, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयले का पूर्वेक्षण करने के अपने आशय की सूचना देती है।

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक का निरीक्षण साउथ ईस्टर्न कोलफील्ड्स लि. (राजस्व खंड) सीपत मार्ग बिलासपुर 495001 में कार्यालय में या कलक्टर बिलासपुर के (मध्य प्रदेश) के कार्यालय में अथवा कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में किया जा सकता है ।

इस अधिसूचना के अधीन आने वाली भूमि में हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को, इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन के भीतर सहायक सम्पदा प्रबंधक, साउथ ईस्टर्न कोलफील्ड्स लि. सीपत मार्ग बिलासपुर को भेजेंगे ।

अनुसूची

बांकी सुरक्षा ब्लाक का साउथ एक्सटेंशन ब्लाक

कोबरा कोयला क्षेत्र

जिला बिलासपुर (मध्य प्रदेश)

रेखांक सं. एस.ई.सी.एल. : बी.एस.पी. : जी. एम. :

(परियोजना) : 10

तारीख 23 सितम्बर, 1987

(पूर्वेक्षण के लिए अधिसूचित भूमि)

क्र. सं.	ग्राम	पटवारी हलका सं.	तहसील	जिला	क्षेत्र एकड़ में	टिप्पणियां
1.	कोरई	49	कटघोरा	बिलासपुर	564.19	भाग
2.	पुरेना	50	कटघोरा	बिलासपुर	482.18	भाग

3. घुरेना	50	कटघोरा	बिलासपुर	1108.73	भाग
4. मरवाघोरा	50	कटघोरा	बिलासपुर	862.52	भाग
5. कुचेना	50	कटघोरा	बिलासपुर	560.80	भाग
5. रोहिना	50	कटघोरा	बिलासपुर	81.50	भाग

कुल क्षेत्र 3659.92 एकड़ (लगभग)
या
1481.12 हैक्टेयर (लगभग)

सीमा वर्णन :

क–ख रेखा "क" बिन्दु से आरंभ होकर कोराई पुरेना, मारवघोरा, रोहीना और कुचेना ग्रामों से गुजरती है और "ख" बिन्दु पर मिलती है ।

ख–ग रेखा कुचेना गेवरा, कुचेना मनगाव, कुचेना, घाटमुंडा ग्रामों की एक ही सीमा रेखा के साथ-साथ गुजरती है और बिन्दु "ग" पर मिलती है ।

ग–घ रेखा मारवघोरा घाटमुडा, मारवाघोरा, कुसमुडा ग्रामों की संयुक्त सीमा के साथ-साथ चलती हुई बिन्दु "घ" पर मिलती है ।

घ–ङ रेखा घुरेना ग्राम होकर जाती है और "ङ" बिन्दु पर मिलती है ।

ङ–क रेखा घुरेना, विपका ग्रामों की संयुक्त सीमा के साथ-साथ जाती है फिर कोराई ग्राम होकर जाती है और आरंभिक बिन्दु "क" पर मिलती है ।

[सं० 43015/22/87-एल एस डब्ल्यू]
बी. बी. राव, अवर सचिव

MINISTRY OF ENERGY

(Department of Coal)

New Delhi, the 5th February, 1988

S.O. 801,—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan of the area covered by this notification can be inspected at the office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur-495001 or at the office of the Collector, Bilaspur (Madhya Pradesh), or at the office of the Coal Controller, 1, Council House, Street Calcutta.

All persons interested in the land covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Assistant Estate Manager, South Eastern Coalfields Limited, Seepat Road, Bilaspur within ninety days from due date of publication of this notification in the Officia l Gazette.

SCHEDULE

South Extension block of Banki Sur Kachhar Block

KORBA COALFIELD

DISTRICT—Bilaspur (Madhya Pradesh)

Plan No. SECL : BSP : GM (PROJ). 10

Dated : 23rd September, 1987

(Showing land notified for prospecting)

Serial Number	Village	Patwari Halka number	Tehsil	District	Area in acres	Remarks
1.	Korai	49	Katghora	Bilaspur	564.19	Part.
2.	Purena	50	Katghora	Bilaspur	482.18	Part.
3.	Dhurena	50	Katghora	Bilaspur	1108.73	Part.
4.	Marawadhora	50	Katghora	Bilaspur	862.52	Part.
5.	Kuchena	50	Katghora	Bilaspur	560.80	Part.
6.	Rohina	50	Katghora	Bilaspur	81.50	Part.

Total Area : 3659.92 acres (approximately),

or

1481.12 hectare (approximately).

Boundary Description:

A—B Line starts from point 'A' passes through Village Korai, Purena, Marawadhura, Rohina and Kuchena and meets at point 'B'.

B—C Line passes along common boundary of Villages Kuchena Gevra, Kuchena Mangaon, Kuchena, Ghatmunda and meets at point 'C'.

C—D Line passes along common boundary of Villages Marawadhura, Ghatmunda, Marawadhura Kusmunda and meets at point 'D'.

D—E Line passes through Village Dhurena and meets at point 'E'.

E—A Line passes along common boundary of Village Dhurena, Dipka and then through Korai Village and meets at the starting point 'A'.

[No. 43015/22/87—LSW]

B.B. RAO, Under Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

आदेश

नई दिल्ली, 15 फरवरी, 1988

का.आ. 802.—केन्द्रीय सरकार ने भारत सरकार के स्वास्थ्य मंत्रालय की अधिसूचना संख्या वी. 11016/14/75-एम पी टी, तारीख 14-5-1975 द्वारा निदेशित किया है कि चिकित्सीय अर्हता ढाका विश्व विद्यालय का एम.बी बी.एस. को भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) के प्रयोजन के लिए चिकित्सीय अर्हता के रूप में मान्यता दी जाएगी।

और डा. नारायण पी. देब राय, जिनके पास उक्त अर्हता है, इस समय एस.बी.एस. मारवाड़ी हास्पीटल, कलकत्ता में धर्मार्थ कार्य के प्रयोजनार्थ के लिए सम्बद्ध है,

अत: अब केन्द्रीय सरकार उक्त अधिनियम की धारा 14 की उपधारा (1) के परन्तुक के खण्ड (ग) के अनुसरण में—

(i) दो वर्ष की कालावधि या

(ii) उस कालावधि को जिसके दौरान डा. नारायण पी. देब राय उक्त एस.बी.एस. मारवाड़ी हास्पीटल, कलकत्ता से सम्बद्ध है, जो भी लघुतर हो, उस कालावधि के रूप में विनिर्दिष्ट करती है, जिस तक कि उपरोक्त डाक्टर द्वारा चिकित्सा व्यवसाय सीमित होगा।

[संख्या 11016/16/87-एम.ई. (पी.)]

आर. श्रीनिवासन,

अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Deptt. of Health)

ORDER

New Delhi, the 15th February, 1988

S.O. 802.Whereas by the notification of the Government of India in the Ministry of Health No. V. 11016/14/75-MPT dated the 14-5-1975 the Central Government has directed that the medical qualification "MBBS of Dacca University" shall be recognised medical qualification for the purpose of the Indian Medical Council Act, 1956 (102 of 1956),

And whereas Dr. Narayan P. Deb Roy who possesses the said qualification is for the time being attached to the S.V.S. Marwari Hospital, Calcutta for the purposes of charitable work.

Now, therefore, in pursuance of clause (c) of the proviso to sub-section (1) of section 14 of the said Act, the Central Government hereby specifies—

(i) a period of two years, or

(ii) the period during which Dr. Narayan P. Deb Roy is attached to the said S.V.S. Marwari Hospital, Calcutta.

whichever is shorter, as the period to which the medical practice by the aforesaid doctor shall be limited.

[No. V. 11016/16/87-ME(P)]

R. SRINIVASAN, Under Secy.

संस्कृति विभाग

भारतीय पुरातत्व सर्वेक्षण

नई दिल्ली, 22 फरवरी, 1988

पुरातत्व

का.आ. 803.—केन्द्रीय सरकार ने, भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii), तारीख 15 अगस्त, 1987 में प्रकाशित, भारत सरकार के संस्कृति विभाग (भारतीय पुरातत्व सर्वेक्षण) की अधिसूचना सं. का.आ. 2136 तारीख 30 जुलाई, 1987 द्वारा, उक्त अधिसूचना की अनुसूची में विनिर्दिष्टसंस्मारक को राष्ट्रीय महत्व का घोषित करने के अपने आशय की दो मास की सूचना दी थी और उक्त अधिसूचना की एक प्रति को प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष अधिनियम, 1958 (1958 का 24) की धारा 4 की उपधारा (1) की अपेक्षानुसार उक्त संस्मारक के निकट किसी सहजदृश्य स्थान पर चिपका दिया गया था;

और उक्त राजपत्र जनता को 19 अगस्त, 1987 को उपलब्ध करा दिया गया था ;

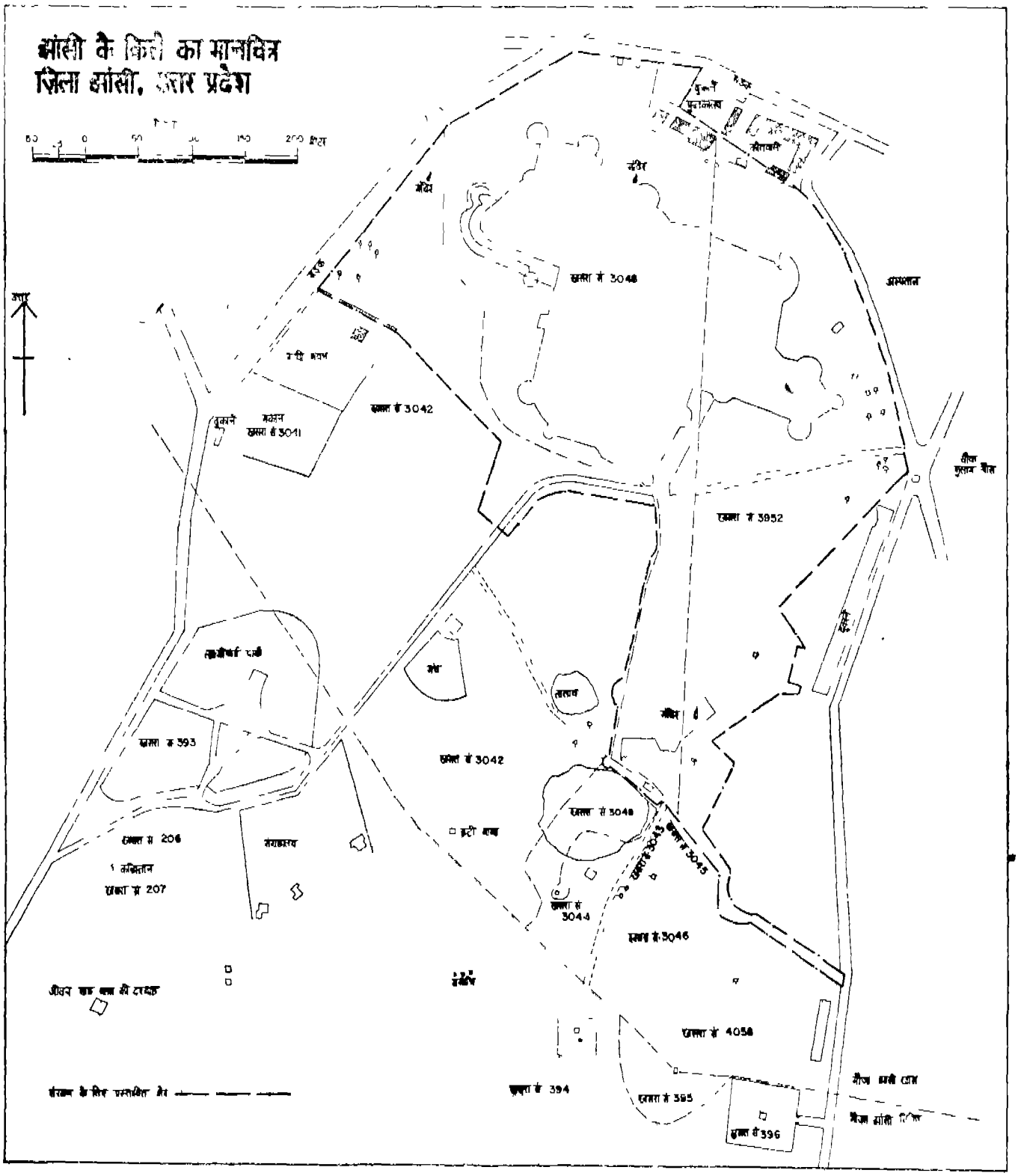
और केन्द्रीय सरकार को जनता से कोई आक्षेप प्राप्त नहीं हुआ है ;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 4 की उपधारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इससे उपाबद्ध अनुसूची में विनिर्दिष्ट प्राचीन संस्मारक को राष्ट्रीय महत्व का घोषित करती है ।

अनुसूची

राज्य	जिला	परिक्षेत्र	संस्मारक का नाम	संरक्षण के अधीन सम्मिलित किया गया राजस्व प्लाट संख्यांक
1	2	3	4	5
उत्तर प्रदेश	झांसी	झांसी	झांसी	खसरा सं. 3045 और 3048 और खसरा सं. 3042 और 3952 का भाग जैसा नीचे प्रस्तुत स्थल रेखांक में दिखाया गया है ।

क्षेत्र	सीमाएं	स्वामित्व	टिप्पणियां
6	7	8	9
19.838 हैक्टर	उत्तर—सड़क बाली पुस्तकालय और क्वार्टर्स । पूरब—खसरा सं. 3952 का शेष भाग, दुकानें भवन और सड़क । दक्षिण—खसरा सं. 3043, 4058 और खसरा 3042 का शेष भाग और लक्ष्मी बाई उद्यान । पश्चिम—सड़क ।	सरकार	



[सं. 2/6/86-एम.]

जगत पति जोशी, महानिदेशक

DEPARTMENT OF CULTURE

ARCHAEOLOGICAL SURVEY OF INDIA

New Delhi, the 22nd February, 1988

ARCHAEOLOGY

S.O. 803.—Whereas by a notification of the Government of India in the Department of Culture (Archaeological Survey of India) S.O. No. 2136 dated the 30th July, 1987, published in Part II, Section 3, sub-section (ii) of the Gazette of India dated the 15th August, 1987 the Central Government gave two month's notice of the intention to declare the monument specified in the Schedule to the said notification to be of national importance and a copy of the said notification was affixed in a conspicuous place near the said monument as required by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958);

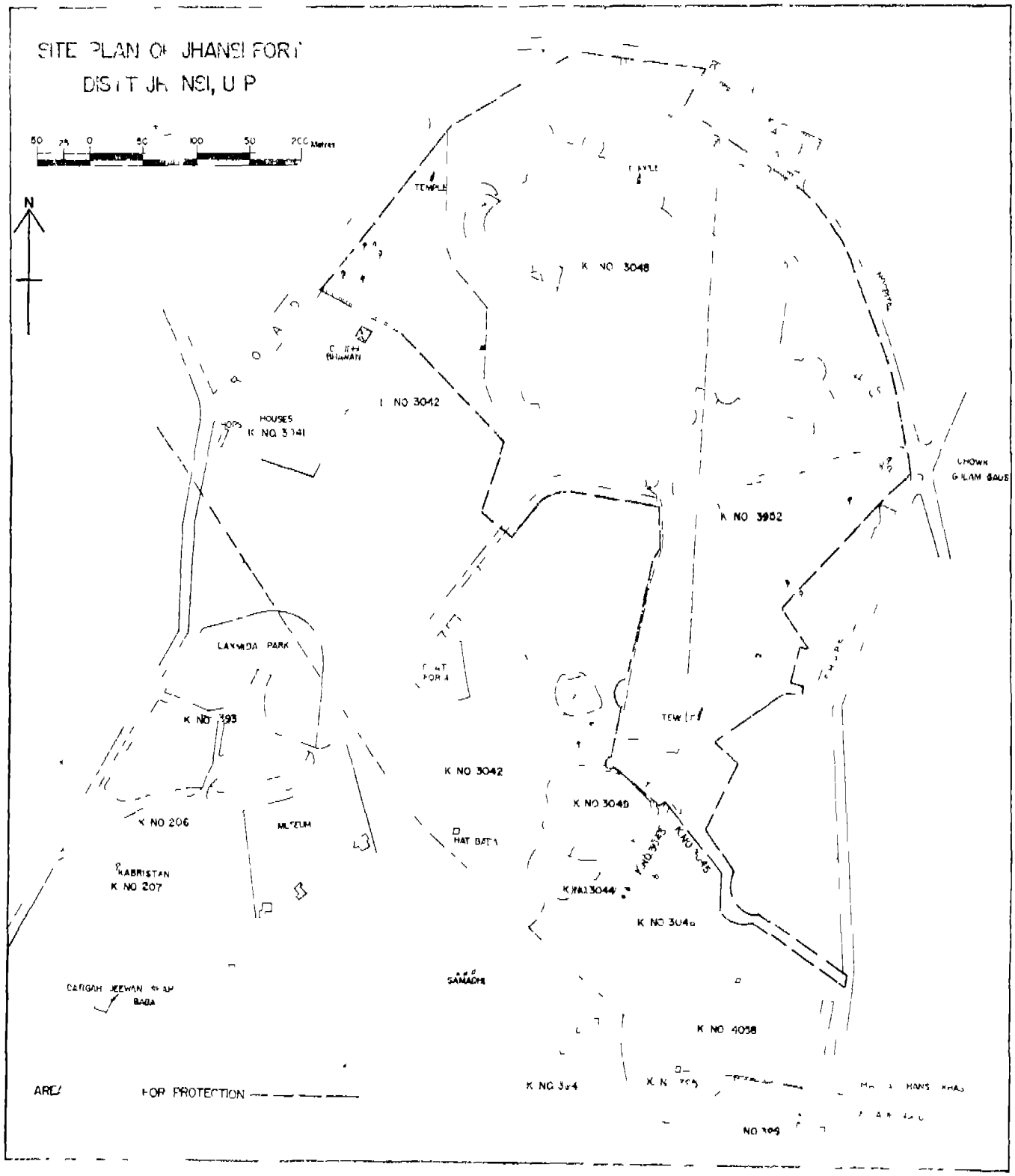
And whereas, the said Gazette was made available to the public on the 19th August, 1987;

And whereas, no objection from the public has been received by the Central Government;

Now, therefore in exercise of the powers conferred by sub-section 3 of section 4 of the said Act, the Central Government hereby declares the ancient monument specified in the Schedule annexed hereto to be of national importance.

SCHEDULE

State	District	Locality	Name of monument	Revenue plot number included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9
Uttar Pradesh	Jhansi	Jhansi	Jhansi	Khasara numbers 3045 and 3048 and part of Khasara numbers 3042 and 3952 as shown in the site plan reproduced below.	19.838 hectors.	North—Road Kotwali library and quarters. East—Remaining portion of Khasara numbers 3952 shops buildings and road. South—Khasara numbers 3043, 4058 and remaining portion of Khasara numbor 3042 and Laxmi Bai Park. West—Road.	Government.	



[No 2/6/86—M]

JAGAT PATI JOSHI, Director General

नागर विमानन मंत्रालय

नई दिल्ली, 11 फरवरी, 1988

का० आ० 804.—वायुयान नियम, 1937, के नियम 3(2क) के अन्तर्गत, केन्द्रीय सरकार को प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा निदेश देती है कि विमानन सुरक्षा से संबंधी मामलों में सरकार के अनुमोदन के अधीन आयुक्त, नागर विमानन सुरक्षा वायुयान नियमों के अधीन महानिदेशक, नागर विमानन को प्रदत्त सभी शक्तियों और कृत्यों का उपयोग करेंगे ।

[फाइल संख्या एवी-11012/38/7-ए]

नसीब सिंह अवर, सचिव

MINISTRY OF CIVIL AVIATION

New Delhi, the 11th February, 1988

S.O. 804.—In exercise of the powers vested in the Central Government under Rule 3(2A) of the Aircraft Rules 1937, the Central Government hereby directs that the Commissioner Security Civil Aviation shall exercise all powers and duties conferred under the Aircraft Rules on the Director General of Civil Aviation in matters relating to aviation security, subject to Government approval.

[File No. AV. 11012/3/87-A]

NASIB SINGH, Under Secy.

मानव संसाधन विकास मंत्रालय

(शिक्षा विभाग)

नई दिल्ली, 28 जनवरी, 1988

का.आ. 805.—भविष्य निधि अधिनियम, 1925 (1925 का 19) की धारा 8 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा उक्त अधिनियम की अनुसूची में निम्नलिखित सार्वजनिक संस्था का नाम जोड़ती है, अर्थात्

"भारतीय उच्च अध्ययन संस्थान शिमला ।"

[सं. एफ. 6-16/85-यू.-3]

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Deptt. of Education)

New Delhi, the 28th January, 1988

S.O. 805.—In exercise of the powers conferred by sub-section (3) of section 8 of the Provident Funds Act, 1925 (19 of 1925), the Central Government hereby adds to the Schedule to the said Act the name of the following public institution, namely :—

"Indian Institute of Advanced Study, Shimla."

[F. No. 6-16/85-U. 3]

का.आ. 806.—भविष्य निधि अधिनियम, 1925 (1925 का 19) की धारा 8 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा यह निर्देश देती है कि उक्त अधिनियम के प्रावधान भारतीय दार्शनिक अनुसंधान परिषद नई दिल्ली के कर्मचारियों के लाभ के लिए स्थापित अंशदायी भविष्य निधि पर लागू होंगे ।

[सं.एफ. 25-25/85-यू. 3]

S.O. 806.—In exercise o fthe powers conferred by sub-section (2) of section 8 of the Provident Funds Act, 1925 (19 of 1925), the Central Government hereby directs that the provisions of the said Act shall apply to the contributory provident fund established for the benefit of the employees of the Indian Council of Philosophical Research, New Delhi.

[F. No. 25-25/85-U. 3]

का.आ. 807.—भविष्य निधि अधिनियम, 1925 (1925 का 19) की धारा 8 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा यह निर्देश देती है कि उक्त अधिनियम के प्रावधान भारतीय उच्च अध्ययन संस्थान, शिमला के कर्मचारियों के लाभ के लिए स्थापित अंशदायी भविष्य निधि पर लागू होंगे।

[सं. एफ. 6-16/85-यू. 3]

S.O. 807.—In exercise of the powers conferred by sub-section (2) of section 8 of the Provident Funds Act, 1925 (19 of 1925), the Central Government hereby directs that the provisions of the said Act shall apply to the contributory provident fund established for the benefit of the employees of the Indian Institute of Advanced Study, Shimla.

[F. No. 6-16/85-U.3]

का. आ. 808.—भविष्य निधि अधिनियम, 1925 (1925 का 19) की धारा 8 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा उक्त अधिनियम की अनुसूची में निम्नलिखित सार्वजनिक संस्था का नाम जोड़ती है, अर्थात्

"भारतीय दार्शनिक अनुसंधान परिषद, नई दिल्ली ।"

[सं. एफ. 25-25/85-यू. 3]

श्रीमती शोभना जोशी, अवर सचिव

S.O. 808.—In exercise of the powers conferred by sub-section (2) of section 8 of the Provident Funds Act, 1925 (19 of 1925), the Central Government hereby adds to the Schedule to the said Act the name of the following public institution, namely:—

"Indian Council of Philosophical Research, New Delhi."

[F. No. 25-25/85-U. 3]

SHOBHANA JOSHI (Smt.), Under Secy.

शहरी विकास मंत्रालय

(संकर्म प्रभाग डब्ल्यू 3)

नई दिल्ली, 6 फरवरी, 1988

का.आ. 809.—केन्द्रीय सरकार, सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नीचे की सारणी के स्तम्भ (1) में उल्लिखित अधिकारियों को, जो सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के प्रयोजनों के लिये सम्पदा अधिकारी नियुक्त करती है और आगे निदेश देती है कि उक्त अधिकारी उक्त सारणी के स्तम्भ (2) में विनिर्दिष्ट सरकारी स्थानों की बाबत अपनी अपनी अधिकारिता स्थानीय सीमाओं के भीतर उक्त अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारी को प्रदत्त शक्तियों का प्रयोग और अधिरोपित कर्तव्यों का पालन करेंगे ।

सारणी

अधिकारी का पदनाम	सरकारी स्थानों के प्रवर्ग और अधिकारिता की स्थानीय सीमाएं
(1)	(2)
1 कार्यपालक इंजीनियर, "आर" प्रभाग केन्द्रीय लोक निर्माण विभाग, नई दिल्ली	दिल्ली और नई दिल्ली में उनकी अपनी अपनी अधिकारिता की स्थानीय सीमाओं के भीतर स्थित केन्द्रीय लोक निर्माण विभाग के प्रशासनिक नियंत्रणाधीन स्थान।
2 कार्यपालक इंजीनियर "ई" प्रभाग, केन्द्रीय लोक निर्माण विभाग, नई दिल्ली।	
3 कार्यपालक इंजीनियर, सनिर्माण प्रभाग 6 केन्द्रीय लोक निर्माण विभाग, नई दिल्ली।	
4. कार्यपालक इंजीनियर, सनिर्माण प्रभाग-7, केन्द्रीय लोक निर्माण विभाग, नई दिल्ली।	
5. कार्यपालक इंजीनियर, सनिर्माण प्रभाग-11 केन्द्रीय लोक निर्माण विभाग, नई दिल्ली।	
6. कार्यपालक इंजीनियर एशियायी खेल प्रभाग-3, केन्द्रीय लोक निर्माण विभाग, नई दिल्ली।	
7. कार्यपालक इंजीनियर "ज" प्रभाग केन्द्रीय लोक निर्माण विभाग नई दिल्ली।	
8. कार्यपालक इंजीनियर डा. राम मनोहर लोहिया अस्पताल, प्रभाग, केन्द्रीय लोक निर्माण विभाग, नई दिल्ली।	
9. कार्यपालक इंजीनियर, सफदरजंग अस्पताल प्रभाग, केंद्रीय लोक निर्माण विभाग, नई दिल्ली।	
10. कार्यपालक इंजीनियर, पुष्प विचार अनुरक्षण प्रभाग, केन्द्रीय लोक निर्माण विभाग, नई दिल्ली।	
11. उप निदेशक, बागबानी, पूर्वी प्रभाग, केन्द्रीय लोक निर्माण विभाग, नई दिल्ली।	
12. उप निदेशक, बागबानी, पश्चिमी प्रभाग, केन्द्रीय लोक निर्माण विभाग, नई दिल्ली।	
13. उप निदेशक, बागबानी, उत्तरी प्रभाग, केन्द्रीय लोक निर्माण विभाग, नई दिल्ली।	
14. उप निदेशक, बागबानी, दक्षिणी प्रभाग, केन्द्रीय लोक निर्माण विभाग, नई दिल्ली।	
15. उप निदेशक, बागबानी, केन्द्रीय प्रभाग, केन्द्रीय लोक निर्माण विभाग, नई दिल्ली।	

[फा.सं. 29012/87/87-डब्ल्यू.-3]
एस. रंगनाथन्, उप सचिव (संकर्म)

MINISTRY OF URBAN DEVELOPMENT

(Works Division W-3)

New Delhi, the 6th February, 1988

S.O. 809.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officers mentioned in column (1) of the Table below, being gazetted officers of Government, to be Estate Officers for the purposes of the said Act and further directs that the said officers shall exercise the powers conferred and perform the duties imposed on Estate Officers by or under the said Act within the local limits of their respective jurisdiction in respect of the public premises specified in column (2) of the said Table.

TABLE

Designation of the Officer	Categories of Public Premises and local limits of jurisdiction
(1)	(2)
1. Executive Engineer, 'R' Division, Central Public Works Department, New Delhi.	Premises under the administrative control of Central Public Works
2. Executive Engineer, 'E' Division, Central Public Works Department, New Delhi.	Department situated within local limits of their respective jurisdiction in Delhi and New Delhi
3. Executive Engineer, Construction Division VI, Central Public Works Department, New Delhi.	

1	2
4.	Executive Engineer, Construction Division VII, Central Public Works Department, New Delhi.
5.	Executive Engineer, Construction Division XI, Central Public Works Department, New Delhi.
6.	Executive Engineer, Asian Games Division III, Central Public Works Department, New Delhi.
7.	Executive Engineer, 'H' Division, Central Public Works Department, New Delhi.
8.	Executive Engineer, Dr. Ram Manohar Lohia Hospital Division, Central Public Works Department, New Delhi.
9.	Executive Engineer, Safdarjung Hospital Division, Central Public Works Department, New Delhi.
10.	Executive Engineer, Pushap Vihar Maintenance Division, Central Public Works Department, New Delhi.
11.	Deputy Director of Horticulture, Eastern Division, Central Public Works Department, New Delhi.
12.	Deputy Director of Horticulture, Western Division, Central Public Works Department, New Delhi.
13.	Deputy Director of Horticulture, Northern Division, Central Public Works Department, New Delhi.
14.	Deputy Director of Horticulture, Southern Division, Central Public Works Department, New Delhi.
14.	Deputy Director of Horticulture, Central Division, Central Public Works Department, New Delhi.

[F.No.28012/87/87-W.3]
S. RANGANATHAN, Dy. Secy. (Works)

संचार मंत्रालय

(दूरसंचार विभाग)

नई दिल्ली, 16 फरवरी, 1988

का. आ. 810.—राष्ट्रपति केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियमावली, 1965 के नियम 34 के साठ पठित नियम 9 के उप-नियम (2), नियम (12) के उप-नियम (2) के खंड-ख और नियम 24 के उप-नियम (1), में प्रदत्त शक्तियों का प्रयोग करते हुए संचार मंत्रालय (डाक एवं दूरसंचार), भारत सरकार एस. आर. ओ. 620 दिनांक 28-2-1957 की अधिसूचना में एतद्द्वारा आगे और संशोधन करते हैं, अर्थात् :—

उक्त अधिसूचना की अनुसूची में, भाग-II सामान्य केन्द्रीय सेवा ग्रुप "ग" में "दूरसंचार कारखाना संगठन" शीर्ष के अंतर्गत "लागत सेवाकार, लागत सहायक, सहायक प्रधान लिपिक, (ड्राईंग) (भूतपूर्व-एसटीसी), तकनीकी सहायक, सुपरवाइजर-सह प्रशासन अवर चयन ग्रेड लिपिक, चयन ग्रेड आशुलिपिक एवं चयन ग्रेड उच्च श्रेणी लिपिक" से संबंधित हंदराजों में मौजूदा हंदराजों के बाद कालम 3, 4 और 5 में क्रमशः निम्नलिखित हंदराज शामिल किए जाएं, अर्थात् :—

कॉलम 3	कॉलम 4	कॉलम 5
वरिष्ठ समय वेतन मान में सामान्य केन्द्रीय सेवा ग्रुप "क" के अधिकारी	(i) से (iv)	उप महाप्रबंधक, प्रबंधक

[सं० 12-23/84-सतर्क-III]

आर. कृष्णामूर्ति, डेस्क अधिकारी (सतर्क याचिका)

टिप्पणी :—प्रमुख आदेश, भारत के राजपत्र, असाधारण, भाग-II खंड-3 में अधिसूचना सं. एस.आर.ओ. 620 दिनांक 28-2-1957 द्वारा प्रकाशित । तत्पश्चात् निम्नलिखित संख्या तथा दिनांक के अधीन

भारत के राजपत्र के भाग-II, खंड-3, उप खंड (ii) में प्रकाशित अधि-सूचना द्वारा संशोधित :—

1. सा.का.नि. 287 दिनांक 22-3-1958
2. सा.का.नि. 207 दिनांक 20-1-1962
3. सा.का.नि. 266 दिनांक 27-3-1962
4. सा.का.नि. 1419 दिनांक 12-5-1962
5. सा.का.नि. 1420 दिनांक 12-5-1962
6. सा.का.नि. 1791 दिनांक 9-6-1962
7. सा.का.नि. 2529 दिनांक 11-8-1962
8. सा.का.नि. 2789 दिनांक 8-9-1962
9. सा.का.नि. 35 दिनांक 5-1-1963
10. सा.का.नि. 224 दिनांक 26-1-1963
11. सा.का.नि. 558 दिनांक 3-3-1863
12. सा.का.नि. 707 दिनांक 23-3-1963
13. सा.का.नि 905 दिनांक 30-3-1963
14. सा.का नि. 1112 दिनांक 20-4-1963
15. सा.का.नि. 1434 दिनांक 25-5-1963
16. सा.का.नि. 2537 दिनांक 7-9-1963
17. सा का.नि. 2831 दिनांक 5-10-1963
18. सा.का.नि 471 दिनांक 19-3-1964
19. सा.का.नि. 3677 दिनांक 14-11-1964
20. सा.का.नि. 679 दिनांक 27-2-1965
21. सा.का.नि. 2453 दिनांक 7-8-1965
22. सा.का.नि 719 दिनांक 5-3-1966
23. सा.का.नि. 947 दिनांक 26-3-1966
24. सा.का.नि. 3411 दिनांक 12-11-1966
25. सा.का.नि. 250 दिनांक 20-1-1968
26. सा.का.नि. 851 दिनांक 9-3-1968
27. सा.का.नि. 1147 दिनांक 30-3-1968
28. सा.का.नि. 1454 दिनांक 27-4-1968
29. सा.का.नि. 4774 दिनांक 29-11-1969
30. सा.का.नि. 647 दिनांक 21-2-1970
31. सा.का.नि. 5024 दिनांक 6-11-1971
32. सा.का.नि. 3104 दिनांक 21-10-1972
33. सा.का.नि 3349 दिनांक 28-10-1972
34. सा.का.नि. 2923 दिनांक 17-9-1977
35. सा.का.नि. 25 दिनांक 7-1-1978
36. सा.का.नि. 454 दिनांक 18-2-1978
37. सा.का.नि. 781 दिनांक 18-3-1978
38. सा.का.नि 1006 दिनांक 8-4-1978
39. सा.का.नि. 1747 दिनांक 17-6-1978
40. सा.का.नि. 325 दिनांक 27-1-1979
41. सा.का.नि. 523 दिनांक 10-2-1979
42. सा.का.नि. 619 दिनांक 17-2-1979
43. सा.का.नि. 726 दिनांक 24-2-1979
44. सा.का नि. 3626 दिनांक 27-10-1979
45. सा.का.नि. 3901 दिनांक 1-12-1979
46. सा.का.नि. 1556 दिनांक 7-6-1980
47. सा.का.नि. 1557 दिनांक 7-6-1980
48. सा.का.नि. 1630 दिनांक 14-6-1980
49. सा.का.नि. 1631 दिनांक 14-6-1980
50. सा.का.नि. 1691 दिनांक 21-6-1980
51. सा.का.नि. 1692 दिनांक 21-6-1980
52. सा.का.नि. 1693 दिनांक 21-6-1980
53. सा.का.नि. 1694 दिनांक 21-6-1980
54. सा का.नि. 1741 दिनांक 28-6-1980
55. सा.का.नि. 466 दिनांक 6-2-1982
56. सा.का.नि. 1371 दिनांक 13-4-1982
57. सा.का.नि. 1372 दिनांक 13-4-1982
58. सा.का.नि. 234 दिनांक 1-1-1983
59. सा.का.नि. 2580 दिनांक 11-8-1984
60. सा.का.नि. 2581 दिनांक 11-8-1984
61. सा.का.नि. 2582 दिनांक 11-8-1984
62. सा.का.नि. 2599 दिनांक 8-9-1984
63. सा.का.नि. 1353 दिनांक 30-5-1987

MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

(Telecom Board)

New Delhi, the 16th February, 1988

S. O. 810—In exercise of the powers conferred by sub-rule (2) of rule 9, clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24, read with rule 34, of the Central Civil Services (Classification Control and Appeal) Rules, 1965 the President hereby makes the following further amendments in the notification of the Government of India in the Ministry of Communications (Posts and Telegraphs) No. S.R.O. 620, dated the 28th February, 1957, namely:—

In the Schedule to the said notification, in Part II General Central Service, Group 'C', under the heading "Telecommunication Factories Organisation", against the entries relating to "Cost Accountant, Cost Assistant; Assistant Head Clerk; (Drawing) (Ex-STC); Technical Assistant; Supervisor-cum-Operative Lower Selection Grade Clerk; Selection Grade Stenographer and Selection Grade Upper Division

Clerk", in columns 3, 4 and 5 after the existing entries, the following entries shall respectively be inserted, namely:—

Column 3	Column 4	Column 5
"Officers of General Central Service, Group 'A' in Senior Time Scale.	(i) to (iv)	Deputy General Manager; Manager"

[No. 12-23/84-Vig.—III]

R. KRISHNAMOORTHY, Desk Officer (Vig. Petn.)

Note: Principal order published vide Notification No. S.R.O. 620 dated 28-2-1957, Gazette of India, Extraordinary, Part II, Section 3. Subsequently amended by Notifications published in the Gazette of India Part II, Section 3, Sub-Section (ii) under the following number and date:—

1. S.O. 287 dated 22-3-1958
2. S.O. 207 dated 20-1-1962
3. S.O. 266 dated 27-3-1962
4. S.O. 1419 dated 12-5-1962
5. S.O. 1420 dated 12-5-1962
6. S.O. 1791 dated 9-6-1962
7. S.O. 2529 dated 11-8-1962
8. S.O. 2789 dated 8-9-1962
9. S.O. 35 dated 5-1-1963
10. S.O. 224 dated 26-1-1963
11. S.O. 558 dated 3-3-1963
12. S.O. 707 dated 23-3-1963
13. S.O. 905 dated 30-3-1963
14. S.O. 1112 dated 20-4-1963
15. S.O. 1434 dated 25-5-1963
16. S.O. 2537 dated 7-9-1963
17. S.O. 2831 dated 5-10-1963
18. S.O. 471 dated 19-3-1964
19. S.O. 3877 dated 14-11-1964
20. S.O. 679 dated 27-2-1965
21. S.O. 2453 dated 7-8-1965
22. S.O. 719 dated 5-3-1966
23. S.O. 947 dated 26-3-1966
24. S.O. 3411 dated 12-11-1966
25. S.O. 250 dated 20-1-1968
26. S.O. 851 dated 9-3-1968
27. S.O. 1147 dated 30-3-1968
28. S.O. 1454 dated 27-4-1968
29. S.O. 4174 dated 29-11-1969
30. S.O. 647 dated 21-2-1970
31. S.O. 5024 dated 6-11-1971
32. S.O. 3164 dated 21-10-1972
33. S.O. 3349 dated 28-10-1972
34. S.O. 2923 dated 17-9-1977
35. S.O. 25 dated 7-1-1978
36. S.O. 454 dated 18-2-1978
37. S.O. 781 dated 18-3-1978
38. S.O. 1006 dated 8-4-1978
39. S.O. 1747 dated 17-6-1978
40. S.O. 325 dated 2-1-1979
41. S.O. 523 dated 10-2-1979
42. S.O. 619 dated 17-2-1979
43. S.O. 726 dated 24-2-1979
44. S.O. 3626 dated 27-10-1979
45. S.O. 3901 dated 1-12-1979
46. S.O. 1556 dated 7-6-1980
47. S.O. 1557 dated 7-6-1980
48. S.O. 1630 dated 14-6-1980
49. S.O. 1631 dated 14-6-1980
50. S.O. 1691 dated 21-6-1980
51. S.O. 1692 dated 21-6-1980
52. S.O. 1693 dated 21-6-1980
53. S.O. 1694 dated 21-6-1980
54. S.O. 1741 dated 28-6-1980
55. S.O. 466 dated 6-2-1982
56. S.O. 1371 dated 13-4-1982
57. S.O. 1372 dated 13-4-1982
58. S.O. 234 dated 1-1-1983
59. S.O. 2580 dated 11-4-1984
60. S.O. 2581 dated 11-8-1984
61. S.O. 2582 dated 11-8-1984
62. S.O. 2899 dated 8-9-1984
63. S.O. 1353 dated 30-5-1987

श्रम मंत्रालय

नई दिल्ली, 9 फरवरी, 1988

का.आ. 811.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार एतद्द्वारा श्री वी.बी. महात्मे को श्री प्रताप भोंगी लाल के स्थान पर केन्द्रीय न्यासी बोर्ड का सदस्य नियुक्त करती है और भारत सरकार राजपत्र भाग 2, खण्ड 3(ii) दिनांक 18 सितम्बर, 1985 में प्रकाशित भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या 677 (ई) दिनांक 18 सितम्बर, 1985 में निम्नलिखित संशोधन करती है।

2. उक्त अधिसूचना में क्रम संख्या 24 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि की जायेगी।

"श्री वी.बी. महात्मे,
सचिव
इम्पलायीस फैडरेशन आफ इंडिया
आर्मी एवम् नेवी बिल्डिंग,
148, महात्मा गांधी मार्ग
बम्बई-400023

[क्रम संख्या बी-20012/1/85-स.सु.-I]

MINISTRY OF LABOUR

New Delhi, the 9th February, 1988

S.O. 811.—In exercise of the powers conferred by sub section (1) of section 5A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby appoints Shri V. B. Mahatme,

as member of the Central Board of Trustees in place of Shri Pratap Bhogilal and makes the following amendment in the notification of Government of India in the Ministry of Labour No. S.O. 677(E), dated the 18th September, 1985 published in Part-II, Section 3, Sub-section (ii) of the Gazette of India Extraordinary dated the 18th September, 1985.

In the said notification, against Serial No. 24 and entries relating thereto, the following shall be substituted, namely :

"Mr. V. B. Mahatme,
Secretary,
Employees Federation of India,
Army and Navy Building,
148-Mahatma Gandhi Road,
Bombay-400023.

[No. V-20012/1/85-SS-II]

नई दिल्ली, 11 फरवरी, 1988

का.आ. 812.—केन्द्रीय सरकार को यह प्रतीत होता है कि निम्नलिखित स्थापन से संबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबंध सम्बन्धित स्थान को लागू किये जाने चाहिए :—

1. मैसर्स वरदा प्लास्टो पैक इन्डस्ट्रीज प्राइवेट लि. 482 फेस-2 जी आई डी सी वतवा, जिला अहमदाबाद
2. मैसर्स एम बी फाइनान्स कारपोरेशन 443/12 जी आई डी सी स्टेट ओधव, अहमदाबाद
3. मैसर्स जय विशाल एसोसिएट्स प्रथम खण्ड, दिवान जी चैम्बर्स इंडिया बाजार, बडौदा
4. मैसर्स फायर फाईटिंग एप्लीएन्सीज कम्पनी डा० मनुभाई कन्ट्रैक्टस अस्पताल के समीप, रविपुरा, बडौदा
5. मैसर्स जय अम्बिका इन्जिनियरिंग कम्पनी 2 भानु सदन कोटी रोड, बडौदा
6. मैसर्स वकाल हॉरटीकलचर सर्विस सी-17 सन्त नारायण सोसाइटी रिफाइनरी रोड, बडौदा-16
7. मैसर्स संगम टाकीज, बन्दर रोड, भावनगर
8. मैसर्स वैलफेब इन्जिनियर्स एण्ड कंसलटैन्ट 141 जी आई डी सी स्टेट कलोल, जिला पंचमहल
9. मैसर्ज सौधान सस्कार लि० सी० बी० 1902 हलोल जिला पंचमहल ।
10. मैसर्स यूनी आई-यू सी बी लि. प्लाट नं. 133/2 जी आई डी सी वापी-396195 और इसका 22 भुलाभाई देसाई रोड, बम्बई-26 स्थित शाखा
11. मैसर्स वरजेस एजेन्सीज, 7 जय विशाल सोसाइटी दहेज बाई पास रोड, भरौच
12. मैसर्स गुजरात लायका आर्गेनिक्स लि. प्लाट नं. 4708 जी आई डी सी इन्डस्ट्रीयस स्टेट अकलेश्वर-2 और इसका 401 डी पुनम चैम्बर्स "ए" विंग डा. अन्नी बसंत रोड वरली, बम्बई-18 स्थित मुख्य कार्यालय
13. मैसर्स गुजरात स्टेट मशीन टूल्स कारपोरेशन लि. चित्तरा इन्डस्ट्रीयल स्टेट, भावनगर और इसकी चतुर्थ खण्ड नटराज चैम्बर्स आश्रम रोड अहमदाबाद स्थित शाखा
14. मैसर्स गुजरात साईकिल्स लि. 187, जी आई डी सी स्टेट, वगोधीया जिला बडौदा और इसका सप्तम खण्ड अफटल टावर्स, आर सी दत्त रोड, बडौदा-5 स्थित कार्यालय
15. मैसर्स प्रकाश क्वैरी, गोपीपुरा, हलोल, जिला पंचमहल
16. मैसर्स दक्षा हॉरटीकलचर एण्ड सेनीटेसन सर्विसिज, बी-12 जय सत्यनारायण को-ऑपरेटिव हाउसिंग सोसाइटी, गोरवा, बडौदा
17. मैसर्स वरदायानी प्लास्टो पैक इन्डस्ट्रीज प्राइवेट लि. 182 फेज-II जी आई डी सी, वतवा, जिला अहमदाबाद

अतः केन्द्रीय सरकार उक्त धारा नियम की धारा 1, की उप धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापनों को लागू करती है ।

[संख्या एस-35019(5)/88-स.सु.-2]

New Delhi, the 11th February, 1988

S.O. 812.—Whereas it appears to the Central Government that the employers and the majority of employees in relation to the following establishments have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to their respective establishments, namely,

1. M/s. Varda Plasto Pack, Industries Private Limited, 482, Phase-II, G.I.D.C. Vatva, District Ahmedabad.
2. M/s. M. B. Finance Corporation, 443/12, G.I.D.C. Estate, Odhav Ahmedabad.
3. M/s. Jay Vishal Associates, 1st Floor, Diwanji Chambers, Dandia Bazar, Baroda.
4. M/s. Fire Fighting Appliances Company, Near Dr. Manubhai Contract's Hospital, Raopura, Baroda.
5. M/s. Jay Ambika Engineering Company, 2, Bhanu Sadan, Kothi Road, Baroda.
6. M/s. Vakal Horticulture Service, C/17, Santyanarayan Society Refinery Road, Baroda-16.
7. M/s. Sangam Talkies, Bunder Road, Bhavnagar.
8. M/s. Wellfab Engineers and Consultatant, 141, G.I.D.C. Estate, Kalol District Panchmahal.
9. M/s. Shodhan Sanskar Private Limited, CB/1902, Halol District Panchmahal.
10. M/s. UNI-UCB Limited, Plot No. 133/2, G.I.D.C. Vapi-396195, including its branch at 22, Bhulabhai Desai Road, Bombay-26.
11. M/s. Vrajesh Agencies, 7, Jay Vishal Society, Dahej by Pass Road, Bharuch.
12. M/s. Gujarat Lyka Organics Limited, Plot No. 4708, G.I.D.C. Industrial Estate, Ankleshwar-2, including its Head Office at 401-D, Poonam Chamber, 'A' Wing Dr. Annie Basant Road, Worli, Bombay-18.
13. M/s. Gujarat State Machine Tools Corporation Limited, Chitra Industrial Estate, Bhavnagar, including its Branch at 4th Floor, Natraj Chambers, Ashram Road, Ahmedabad.
14. M/s. Gujarat Cycles Limited, 187, G.I.D.C. Estate, Veghodia District Baroda, including its Office at 7th Floor, Offtel Towers R.C. Dutt Road, Baroda-5.
15. M/s. Prakash Quarry, Gopipura, Halol District Panchmahal.
16. M/s. Daksha Horticulture and Sanitation Services, B-12, Jay Satyanarayan Co-operative Housing Society, Gorwa, Baroda.
17. M/s. Vardayani Plasto Pack Industries Private Limited, 482, Phase-II, G.I.D.C. Vatva, District, Ahmedabad.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the above mentioned establishments.

[No. S-35019(5)/88-SS-II]

का.आ. 813.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के राजपत्र भाग 2, खण्ड 3, (ii) दिनांक 18 सितम्बर, 1985 में प्रकाशित भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या 677 (ई) दिनांक 18 सितम्बर, 1985 में निम्नलिखित संशोधन करती है।

2. उक्त अधिसूचना में क्रम संख्या 1 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी।

"श्रम मंत्री,
भारत सरकार,
नई दिल्ली।"

[फा. स. वी-20012/1/85-ग.सु-2]

S.O. 813.—In exercise of the powers conferred by sub-section (1) of section 5A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. S.O. 677(E) dated the 18th September, 1985 published in Part II, Section 3, Sub-section (ii) of the Gazette of India, Extraordinary, dated the 18th September, 1985.

2. In the said notification against Serial No. 1 and entries relating thereto, the following shall be substituted, namely :—

"Ministry of Labour,
Government of India,
New Delhi."

[F. No. V-20012/1/85-SS-II]

का. आ. 814.—केन्द्रीय सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (क) के अनुसरण में श्री पी.ए.संगमा के स्थान पर श्री एम.एल. फोतेदार, श्रम मंत्री को कर्मचारी राज्य बीमा निगम के अध्यक्ष के रूप में नामित किया है,

अतः अब, केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 545 (अ), दिनांक 25 जुलाई, 1985 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, "(केन्द्रीय सरकार द्वारा धारा 4 के खण्ड (क) के अधीन नामित)" शीर्षक के नीचे मद 1 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि प्रतिस्थापित की जाएगी अर्थात्:—

"श्री एम. एल. फोतेदार,
श्रम मंत्री,
भारत सरकार, नई दिल्ली।"

[स. यू. 16012/1/86-एस. एस.I]

S.O. 814.—Whereas the Central Government has, in pursuance of clause (a) of Section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri M. L. Fotedar, Ministry of Labour as Chairman of the Employees' State Insurance Corporation in place of Shri P. A. Sangma ;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour S.O. No. 545(E), dated the 25th July, 1985, namely :—

In the said notification, under the heading "Nominated by the Central Government under clause (a) of section 4", for the entry against Serial Number 1, the following entry shall be substituted, namely :—

"Shri M. L. Fotedar,
Ministry of Labour,
Government of India,
New Delhi."

[No. U-16012/1/86-SS-I]

नई दिल्ली, 12 फरवरी, 1988

का. आ. 815.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि स्कीम, 1952 के पैरा 5 के साथ पठित पैरा 4 के उप-पैरा (1) के अनुसरण में स्वर्गीय श्री जयन्त विष्णु गोखले के स्थान पर श्री विश्वनाथ अर्जुन सातम को महाराष्ट्र राज्य के लिए क्षेत्रीय समिति का सदस्य नियुक्त करती है और भारत के राजपत्र भाग 2, खण्ड 3, उपखण्ड (ii) दिनांक 2 जुलाई, 1983 में प्रकाशित, भारत सरकार के तत्कालीन श्रम और पुनर्वास मंत्रालय (श्रम विभाग) की अधिसूचना संख्या का. आ. 2771, दिनांक 14 जून, 1983 में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में क्रम संख्या 8 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

"श्री विश्वनाथ अर्जुन सातम,
भारतीय मजदूर संघ,
25-इब्राहिम मनसन,
डा. अम्बेडकर रोड
परेल, बम्बई-400012"।

[स. वी 20012(5)/85-एस. एस.-II]

New Delhi, the 12th February, 1988

S.O. 815.—In pursuance of sub-paragraph (1) of paragraph 4 read with paragraph 5 of the Employees' Provident Fund Scheme, 1952, the Central Government hereby appoints Shri Vishwanath Arjun Satam as member of the Regional Committee for the State of Maharashtra in place of late Shri Jayant Vishnu Gokhale and makes the following amendment in the notification of the Government of India in the Late Ministry of Labour and Rehabilitation (Department of Labour) No. S.O. 2771, dated 14th June, 1983, published in Part II, Section 3, sub-section (ii) of the Gazette of India dated the 2nd July, 1983, namely :—

In the said notification, against serial No. 8, the following entry shall be substituted, namely:—

"Shri Vishwanath Arjun Satnam,
Bhartiya Mazdoor Sangh,
25-Ibrahim Mansion,
Dr. Ambedkar Road, Parel,
Bombay-400012."

[No. V-20012/5/85-SS-II]

नई दिल्ली, 10 मार्च, 1988

का.आ. 816.—केन्द्रीय सरकार को यह प्रतीत होता है कि निम्नलिखित स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध सम्बन्धित स्थापना को लागू किये जाने चाहिए :—

1. मैसर्स कोयलोन सर्जिकल क्लीनिक एण्ड नर्सिंग होम, हॉस्पीटल रोड, कोयलोन

2. मैसर्स मसोनीयलान (इंडिया) लि., होस्पिटल जंक्शन आलवो-101 और इसकी मालाडूर (पोस्ट आफिस) त्रिचूर स्थित फैक्ट्री तथा मद्रास, बम्बई और नई दिल्ली स्थित शाखाएं।

3. मैसर्स अरविन्द आयल इन्डस्ट्रीज, शेरथालाई, शेरथालाई नार्थ ग्राम, शेरथालाई तालुक, अलेप्पी जिला

अतः केन्द्रीय सरकार उक्त धारा नियम की धारा 1, की उपधारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापनों को लागू करती है ।

[संख्या एस-35019(9)/88-स.सु.-2]

ए.के. भट्टाराई, अवर सचिव

New Delhi, the 10th March, 1988

S.O. 816.—Whereas it appears to the Central Government that the employers and the majority of employees in relation to the following establishments have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to their respective establishments, namely :—

1. M/s. Quilon Surgical Clinic and Nursing Home, Hospital Road, Quilon.

2. M/s. Masoneilan (India) Limited, Hospital Junction Alwaye-101 and its factory at Mulador (P.O.) Trichur and branches at Madras, Bombay and New Delhi.

3. M/s. Arvind Oil Industries, Sherthallai Sherthallai North, Village, Sherthallai Taluk, Alleppey District.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the above mentioned establishments.

[No. S-35019(9)/88-SS-II]

A. K. BHATTARAI, Under Secy.

नई दिल्ली, 12 फरवरी, 1988

का. आ 817.—उत्प्रवास अधिनियम 1983 (1983 का 31) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार अवर सचिव श्री ए. वी. एस. शर्मा को 15 फरवरी, 1988 से अगला आदेश जारी होने तक उत्प्रवास संरक्षी-I दिल्ली के रूप में नियुक्त करती है ।

[सं. ए-22012/1/86-उत्प्रवास II]

शिव कुमार, उप सचिव

New Delhi, the 12th February, 1988

S.O. 817.—In exercise of the powers conferred by section 3, sub-section (1) of the Emigration Act, 1983 (31 of 1983), the Central Government hereby appoints Shri A. V. S. Sarma, Under Secretary as Protector of Emigrants-I, Delhi with effect from 15th February, 1988, till further orders.

[No. A-22012(1)/86-Emig. II]

SHIV KUMAR, Dy. Secy.

नई दिल्ली, 12 फरवरी, 1988

का.आ 818.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, आकाशवाणी नई दिल्ली के प्रबंधतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19 जनवरी, 1988 को प्राप्त हुआ था ।

New Delhi, the 12th February, 1988

S.O. 818.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi, as shown in the industrial dispute between the employers in relation to the management of All India Radio, New Delhi and their workmen, which was received by the Central Government on the 19th January, 1988.

ANNEXURE

BEFORE SHRI G. S. KALRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI.

I D. No. 69/86

In the matter of dispute between :

Shri Man Singh S/o Shri Bhim Singh, H. No. 3222, Gali No. 5, Dharampura, Gurdwara Gali, Gandhi Nagar, Delhi-31.

Versus

The Director, All India Radio, Parliament Street, New Delhi.

APPEARANCES :

Workman in person.

Shri Narinder Chaudhary—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-42012/25/82-D.II (B) dated 25th August, 1986 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of management of All India Radio, New Delhi, in terminating the services of Shri Man Singh, with effect from 7th September, 1980, is justified ? If not, to what relief is he entitled to ?"

2. The case of the workman as revealed in the statement of claim is that he joined service with the Management as a casual Labour on daily wages in the year 1958 and continued to work till 6-9-80. On 7-9-80 his services were terminated without issuing any termination letter. No notice was served upon him nor any wages in lieu of notice nor any retrenchment compensation was paid to him. He has claimed reinstatement with continuity of service and full back wages.

3. The Management in its written statement has not denied that the workman joined its service in the year 1958 and rather has denied that the petitioner was working w.e.f. 17-5-78. (It is not understood as to how the Management has taken the date as 17-5-78 whereas the case of the workman is that he had joined the service of the Management in 1958). It was further submitted that the workman was employed for casual work on the basis of availability of work and he was told on 6-9-80 that he could not be kept for work which was no more available. It was further stated that the workman was disobedient and he did not carry out the official instructions properly and, therefore, he was removed from service on 6-9-80. It was contended that there was no need of notice for such removal because as per rules it was not to be given. The order of removal was justified as in accordance with law and not malafide or unfair. It was further stated that since the workman is civil servant therefore, the proivsions of the I. D. Act do not apply.

4 Parties have not led any oral evidence. The workman has placed on record the documents Ex. W-1 to W-33.

5 First of all the preliminary objection of the Management that the workman is a civil servant and, therefore, the provisions of I. D. Act do not apply to him, may be taken up. This objection is clearly without any merit since it is not denied that the respondent All India Radio is an Industry. Even otherwise it has been held time out of number that AIR is an Industry. In that event the claimant is clearly

a workman and the provisions of the I. D. Act are clearly applicable to him. This objection of the Management is frivolous and rejected.

6. Ex. W-8 is a memorandum issued by the Management which clearly shows that the claimant had been appointed as a casual labour w.e.f. 24-5-1959. There are number of other documents which go to show that the workman had continued to work with the Management after 24-5-1959. It is, therefore, held that the workman had been in service with the Management at least w.e.f. 24-5-59. The Management itself admits that the services of the workman were terminated w.e.f. 6-9-80. Therefore, the workman is proved to have rendered service to the Management right from 24-5-59 to 6-9-80. He thus clearly called into the protection of section 25 of the I D Act for which continuous service for only one year in the 12 calander months preceding the date of termination is sufficient. The Management has admittedly not served any notice nor paid any wages in lieu of notice nor paid any retrenchment compensation to the workman and, therefore, there is clear violation of section 25-F of the I D Act the action of the Management is void ab initio. Moreover, the Management has put up contradictory pleas. On the one hand it is pleaded that the services of the workman were retrenched as there was no work for him and on the other hand it has been alleged that the workman was disobedient and he did not carry out official instructions properly and for this reason he was removed from service. In the later event it was incumbent upon the Management to hold disciplinary proceedings before the services of the workman could have been terminated Under these circumstances it is held that the termination of the services of the workman was clearly unjustified and it is directed that the workman shall be reinstated with continuity of service and with full back wages. Reference stands disposed of accordingly.

G S KALRA, Presiding Officer

Dated : 15th December, 1987

Further it is ordered that the requisite number of copies of this Award may be forwarded to the Central Government for necessary action at their end.

Dated : 15th December, 1987.

G. S KALRA, Presiding Officer

[No I-12012/25/82-D.II (A)]

का आ 819 —औद्योगिक विवाद अधिनियम, 1947 (1947 की 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, भारतीय खाद्य निगम चण्डीगढ़ के प्रबंधतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25 जनवरी, 1988 को प्राप्त हुआ था ।

S.O. 819 —In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publish the following award of the Central Government Industrial Tribunal, Chandigarh, as shown in the Annexure in the industrial dispute between the employers in relation to the management of Food Corporation of India Chandigarh and their workmen, which was received by the Central Government on the 25th January, 1988.

ANNEXURE

BEFORE SHRI M. K. BANSAL, PRESIDING OFFICER, CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Case No I D 10/87

PARTIES :

Employers in relation to the management of Food Corporation of India ;

AND

Their workman : Dharam Pal

APPEARANCES :

For the workman—Shri P. K. Singla.

For the management—Shri N. K Zakhmi.

Dated, 15th January, 1988

AWARD

Central Government vide gazette notification No. 31(36)/86 Con 1/D.II (B) dated 3rd February 1987 issued under Section 10(1)(d) of the Industrial Disputes Act, 1947, referred the following industrial disputes to this Tribunal for decision :

"Whether the action of the management of Food Corporation of India in terminating the services of Shri Dharam Pal Ex. Casual Watchman, Food Storage Depot, Khamanon, Distt. Ludhiana w.e.f. 1-8-82 is just and legal ? If not, what relief is the worker entitled to and from what date ?"

2. The case of the workman is that he was a casual watchman with FCI. That he worked from 17-12-1979 to 1-8-1982. That his services were illegally terminated without any notice or retrenchment compensation. So he alleged that his termination is void and he claim re-instatement with back wages. According to the workman he was drawing regular monthly salary as per D.C. approved rates.

3. The management in their reply alleged that workmar was employed as casual labourer on daily wages for covering and uncovering stock lying in open. That requirement of the FCI depended on day to day work. That FCI commit no fault in dispensing with services of workman as there wa no work. It was alleged that workman worked with the FCI from December 1980 to January 1982 intermittantly for short period That after January 1982 workman neve turned up. It was however admitted that no notice o retrenchment compensation was paid to the workman.

4. I have heard the parties and gone through the file Workman to prove that he worked with FCI as regular employee for more than 240 days before termination of his services placed his affidavit on the file and also summoned record about his attendance from FCI. FCI placed on the file W-13 photocopy of attendance sheet from December 1980 to January 1982. FCI also alleged that after February 1982 workman never worked with them Perusal of W-13 shows that workman worked for 24 days in February 1981, 26 days in March 81, 26 days in April 1981 19 days in May 1981, 26 days in June 1981, 28 days in July 1981, 16 days in August 81, 20 days in September 1981, 20 days in October 1981 22 days in November, December 1981 and January 1982 i.e. total about 275 days. It is admitted by FCI that workman never turned up after January 1982 but it was admitted by Manmohan Singh MW-1 that workman discharged after January 1982 This shows that FCI terminated services of workman in February 1982 at a time when workman had completed 240 days of work during the last 12 months So under Section 25-F of I D Act 1947 services of workman can not be terminated without any notice or retrenchment compensation and as such termination of his services will be held to be void

5. In the present case of workman was that he was discharged in August 1982 but management has not admitted working of the workman till August 1982 But as from the evidence of the management it is proved that termination of services of workman from February 1982 is also void So without going into the facts as to on which date workman services were terminated it is held that termination of services of workman is void The effect is that workman will demand to be in continuous service

6. As regard claim for backwages is concerned as workman admitted to have received the wages up to 1-8-1982 so no wages upto 31-7-1982 can be allowed As regard claim of workman for backwages up to date of Award workman was casual workman and he must have done something by working elsewhere. So I am of the view that only

half of the backwages should be allowed. So it is held that workman will be entitled to reinstatement in service with half of the backwages from 1-8-1982 up to date when he report for duty. He will get backwages at the rates approved by the Deputy Commissioner as claimed by the workman. In a way reference is answered in favour of the workman and against the management.

Chandigarh,

Dated : 15-1-1988.

M. K. BANSAL, Presiding Officer

[No. 31/36/86-Con. 1/D.II B)]

का. आ. 820.—औद्योगिक विवाद अधिनियम, 1948 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, भारतीय खाद्य निगम बंगलौर के प्रबंधतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलौर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25 जनवरी, 1988 को प्राप्त हुआ था ।

S.O. 820.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bangalore, as shown in the Annexure in the industrial dispute between the employers in relation to the management of Food Corporation of India Bangalore, and their workmen, which was received by the Central Government on 25th January, 1988.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT BANGALORE

Sri B. N. Lalge, B.A. (Hons) LL.B. Presiding Officer.

Central Reference No. 38/87

Old Central Reference No. 26/85

FIRST PARTY:

The Chairman, Food Corporation of India, Employees Union, C/o Regional Office, Basavanagudi, Bangalore-4.

Vs.

SECOND PARTY:

The Regional Manager, Food Corporation of India, Regional Office, Basavanagudi, Bangalore-4.

APPEARANCES.

For the first party—Sri S. B. Swethadri, Advocate, Bangalore.

For the second party—Sri Y. K. Narayanasharma, Advocate, Bangalore.

Dated : 12th day of January, 1988

AWARD

The Government of India, Ministry of Labour, by exercising its powers under section 10(1) of the Industrial Disputes Act, by Order No. L-42012(11)/85-D.V (B) dated 13-12-85, made the present reference to the Industrial Tribunal constituted by the State Government.

2. By a General Order No. L-11025/A/87-DIV (B) dated 13-2-1987, it has been transferred to this Tribunal and it is at Sl. No. 39.

POINT OF DISPUTE

"Whether the demand of the FCI employees' Union for promotion of Shri K. V. Shreenivasan, Assistant Grade I (Accounts) to the post of Assistant Manager (Accounts) with effect from 1978 with consequential benefits is justified? If so, to what relief the workmen is entitled ?"

3. The first party union has then filed its claim statement and it's contentions in brief are as follows :—

Sri K. V. Sreenivasan was appointed as godown clerk with effect from 8-11-1957. On formation of the Food Corporation of India, his services were alloted to the Corporation and he was promoted from time to time and in 1973, he was Assistant Grade II. He is working in the Regional Office of Food Corporation of India, Bangalore. His record has been without any blemish. The second party has published a seniority list dated 31-3-1978. Employees from the post of Assistant Grade I are promoted to category II posts, known as Assistant Manager. 25% of category II posts are filled up by direct recruitment and 75% by promotion from employees of Assistant Grade I, who have put in three years of service. The promotion is based on seniority-cum-merit. Sreenivasan is an active member of the Trade Union. He had taken leading part in the formation of the Union in Karnataka. He was the Chairman of the Zonal Committee from 1977 to 1979. Now he is the Vice-President of the National Committee. He is the Regional Secretary since 1975. Because of his Union activities, he was not liked by the authorities of the second party. He had exposed some of their questionable activities. Charge sheet dated 26-6-76 was issued to him. The charges were false. After an enquiry the Corporation deposed on him a minor penalty for the recovery of Rs. 6300.59 paise by order dated 9-5-1978. The said matter was challenged before the Hon'ble High Court of Karnataka in writ-petition No. 3601/80. In 1978 the zonal management promoted some employees from Assistant Grade I to the post of Assistant Manager. As per the seniority, he should have been promoted, but his claim was ignored. He was at Sl. No. 24, but employees of Sl. Nos. 25 to 45 were promoted. Subsequently, in 1979 Sl Nos. 46 48 and 50 were promoted. Even in the years 1980 to 1984, some promotions were made till Sl. No. 93. Annexure I shows the names of the persons who are promoted. The failure of the management to promote him in the years 1978 to 1984, is malafide. He has been victimised. The allegation that he was not suitable for promotion by the zonal promotion committee (henceforth called as the Z.P.C) is not tenable. The management has deliberately deprived him of his promotion. For the purposes of promotion merit is considered on the basis of the confidential report written by the immediate officers, under whom the employee was working. No objective test of the work turned out by the employee is taken nor any interview is held. It is said, that generally, confidential report of three years, prior to the year of promotion are taken into account. The confidential reports of three years prior to 1978 did not contain any stigma. He learns that they show that his work is outstanding. There is a general direction that whenever minor punishment is imposed, it should be ignored while making promotions. The Z.P.C. was not justified in denying him promotion on the ground of existence of minor penalty. The second party has allowed to draw one additional increment in the case of employees who have completed 8 years of satisfactory service, but the same has not been given to him, alleging that some vigilance case was pending against him. After several reminders on 19-10-1984 the additional increment was given to him with effect from 1-1-1982. Till today no adverse remark against him has been communicated. Hence it is prayed that an award may be passed directing the management to promote him as Assistant Manager with effect from 1978 with consequential benefits.

4. The second party has filed it's counter statement and inter-alia it has been contended as follows:—

5. This Tribunal has no jurisdiction to entertain the dispute. There is no industrial dispute. The first party cannot represent or put forward the case of the said employee. He is at present working as Assistant Grade I. It is incorrect that his record is without any blemish. When he was working in the depot of the Bangalore District Office the vigilance department found that there was shortage of food-grains, for which he was responsible. A charge sheet dated 26-6-1976 was issued to him and penalty was imposed. There was an order dated 9-5-1978 for recovery of Rs. 6300.59 paise. He had prefered an appeal. The zonal manager confirmed the

said order on 14-2-1979. The said order was challenged in W.P. No. 1313/79 by the employer. The Hon'ble High Court of Karnataka by its order dated 11-4-79 directed the Food Corporation of India to re-consider the matter. Accordingly, the zonal manager reviewed the case and final order in 26 (37)/76-VIG was passed on 16-11-1979 and the said penalty was confirmed. Then he filed the writ-petition in W.P. No. 3601/80 challenging the said order. It is still pending. He was not discharging his duties properly. In the seniority list his name was at Sl. No. 24. As far as accounts cadre is concerned, employees of Assistant Grade I who have put in 5 years of service are eligible for promotion as Assistant Manager. The promotion is on merit-seniority basis. The management has not taken into consideration, his union activities when his case was considered for promotion. The allegations made by him are false. When he was working as Assistant Depot Superintendent, being incharge of godown No 4 of K. R. Puram Depot between 5-1-1972 and 20-5-1974, he was charge sheeted for not maintaining the accounts properly. There was shortage of 20 bags of wheat. The Z.P.C. considered the cases of all the eligible candidates including the case of Sreenivasan, in its meeting held on 13-12-78. He was not found fit, taking into account his performance in the years 1975 to 1977. Again in 1979 the Z.P.C. considered the cases of eligible candidates including the case of Sreenivasan. In view of the pendency of the vigilance case against him, he could not be selected for promotion. The criteria for promotion is merit-cum-seniority based on performance of the employee. In the years 1978 to 1984, his case has been considered. There is no malafides. It is false that he has been victimised for trade union activities. In addition to the recovery of Rs. 6,359.59 paise there was a penalty of stoppage of re-increment with effect from 1-1-1980 as per order No. VIG/24/76 dated 18-10-79. However on examination by the zonal manager, it was modified as censure by order dated 1-11-1980 The Regional Manager by order No. VIG/24/78 dated 18-10-1979 has issued a warning to him. All these factors were taken into account when his case for promotion was considered. Merit is considered on the basis of confidential reports given by the officers under whom the employee has worked. That is not the only test. The performance of three years prior to the date of Z.P.C. meeting is also taken into account. It is not correct that in spite of the confidential report being favourable to him he has not been promoted. There is no circular that minor punishment should not be taken into account while considering the case of an employee for promotion. Sreenivasan was under cloud of vigilance during the relevant period and therefore he was not found fit for promotion. The rules relating to promotion have been duly followed. There is no provision for conducting interviews. There is no deliberate delay in granting him the additional increment. Non-communication of adverse remark will not, by itself entitle him for promotion. His case has not been over looked. It was considered and he was not found fit. There is un-fair labour practice The reference may be rejected.

6. In view of the said pleadings the following 3 additional issue has been raised.

(1) Whether the reference is liable to be rejected as contended by the second party in para 2 of the counter statement ?

(2) Whether the first party workman proves that he was victimised for trade union activities ?

(3) What order ?

7. For the first party WW-1 Sreenivasan has been examined and Exs. W-1 to W-27 have been got marked.

8. For the second party MW-1 Suraj Prakash, an employee of the Food Corporation of India has been examined and Ex. M-1 has been got marked.

9. The parties have been heard.

10. My findings on the additional issues and point of dispute are as follows :—

11. Additional Issue No. 1.—The reference is not liable for rejection.

Additional Issue No. 2—No.

Additional Issue No. 3—As per order below.

12. Point of Dispute.—The demand of the first party for promotion of Sri K. V. Sreenivasan, to the post of the Assistant Manager with effect from 1978 and consequential benefits is not justified, but the first party is justified in claiming the said promotion with effect from 1979 as shown below.

REASONS

13. Additional Issue No. 1—In the counter statement in para 2 it has been contended that the first party union has no power to represent or put-forward the alleged dispute, for the reason that the first party union is not a union recognised by the second party. The evidence of WW-1 Sreenivasan in para 5 shows that the first party union has raised the present dispute that employees who are junior to him have been promoted. The first party has produced several documents such Exs. W-1 to W-27 to show that Sreenivasan has been representing the union at various levels and he is an active participant in the activities of the union. In the evidence of MW-1 Suraj Prakash, the joint manager (personnel) of the second party there is nothing to show that the first party union has no locus standi or that there is no proper espousal. The conciliation proceedings, Ex. W-2 and the failure report Ex. W-3 show that the first party union has been espousing the cause of Sreenivasan. I am of the view that the evidence of MW-1 Sreenivasan and the documents at Exs. W-1 to W-27 do prove that there is proper espousal and that this Tribunal has the jurisdiction to entertain the dispute.

14. Additional Issue No. 2.—The employee, Sri K. V. Sreenivasan has sworn that promotion had been denied to him till 29-8-86 for his union activities and that he has been victimised. The question of victimisation of the workman concerned arises if he is innocent and yet he is being punished because he has displeased the employer. The second kind of victimisation is that the employee has committed an act of mis-conduct but the punishment is highly out of proportion, because he has incurred the displeasure of the employer. The counter statement of the second party in paragraphs 7, 8, 9, 11 and 12 would show that there were disciplinary proceedings against the employee Sreenivasan and that penalties of recovery of certain amount and stoppage of an increment were ordered. On his part WW-1 Sreenivasan has sworn that though his confidential record is good and there has been no adverse remark againss him he has been victimised for his trade union activities. In order to show that he has actively taken part in the trade union activities he has relied upon various documents such as W-1 to W-27. Some of them show that the management had intended to proceed against him because it was of the view that he had made certain statements before the press, which were prejudicial to the interests of the Food Corporation of India and also because there where allegations against him by the president of the Food Corporation of India loading and unloading workers union. The evidence of MW-1 Suraj Prakash is specific on the point that there is no adverse remark in the confidential record of the employee Sreenivasan be cause of his trade union activities and that the management has never taken any action against him for his trade union activties. It is difficult to accept the evidence of WW-1 that he has been victimised in as much as he has not been promoted, even when there were opportunities for him to get promotion in 1978, 1979 and 1984. The evidence produced by the first party does not prove that with any ulterior motive he has been victimised for his trade union activities and therefore not promoted.

15. Additional Issue No. 3 and point of Dispute.—Since the second party contended that he was not promoted because he was not found it by the Z.P.C. and that his performance did not have the required rating, the first party had filed an application on 5-5-1986, I.A. No. 1 calling upon the second party to produce the confidential records of Sreenivasan, the order of imposing of minor penalty and three circulars. After receiving the objections and hearing the parties my learned predecessor has passed an order dated 15-12-1986. It has been held that the confidential reports need not be called for at that juncture, and that the Tribunal will suo-moto direct the second party to produce the same, if found necessary. As regards document No. 2 the first party was permitted to produce copies. As regards document No. 3 the second party was called upon to produce the same. The learned counsel for the first party has placed before me a catena of authorities as shown below and contended that

confidential records are not priviledged documents and that the second party ought to have produced the same.

(1) Lady Dinbai Dinshaw patit and others v/s the domination of India (AIR (33) 1951 Bombay page 72). The authority is on the point that before privilege is claimed there must be adjudication in that connection. It is further held that only the disclosu e of records, which would result in an injury to the public interest can be said to be privileged.

(2) Jagannath Jona /s. State of Orissa (1975 (2) SLR page 419). The authority is on the point that in regard to notes and minutes made by respective officers on a file and the decisions regarding questions of policy can be claimed as privilaged.

(3). N. K. Panda v/s Union of India (1977 (1) S.L.R. page 574). The authority is on the point that when the post is classified as a selection post, the selection made on merit and not seniority alone cannot be challenged. It has been also observed that such documents the disclosure of the contents of which would materially effect the freedom and candour of expression of opinion, in the determination of public policies are privileged documents.

(4) State of Uttar Pradesh v/s Chandra Mohan Nigam and others (1977 Supreme Court (L&S) page 535). The authority is on the point that ordinarily the service record cannot be said to be a privileged document.

(5) Amarchand Butail v/s Union of India (AIR 1964 Supreme Court 224). The authority is on the point that a claim of privileged should be made after due consideration and that such privileged should not be claimed only for the reason that the disclosure would make it difficulty to prove the defence raised by the State.

(6) The State of Punjab v/s Sudhi Sukhdev Singh (AIR 1961 Supreme Court page 493). The authority is on the point that if the court comes to a conclusion that the document does not relate to affairs of the State then it should reject the claim of privileged.

(7) The State of Uttar Pradesh v/s Raj Narayan and others (1975 Supreme Court page 428). The principle, laid down in the authority is that the discreation is with the department whether to produce the documents or not on the ground of privileged.

16. From the principles laid down in the aforesaid authorities it emerges that depending upon the facts and circumstances of each case it shall have to be determined whether privilege can be claimed in respect of a certain document. The learned counsel for the second party on the other hand contended that he is ready and prepared to produce all the documents for perusal of the Tribunal, which the Tribunal finds necessaty for proper adjudication, but he has every objection to place the same on record and make them available to the first party for examination. He contended that several officers who were superior to Sreenivasan might have made remarks in the confidential records and if the same are to be made as part of the record and if the first party is allowed to examine them, the purpose for which such records are maintained will be frustrated and even the security of some of the officers, make be at peril. He further contended that every year confidential report passes through three officers and between 1974 to 1976 several officers might have written and made remarks in regard to his work and to expose all of them for providing the basis for such ratings will be against public policy. He also argued that no particular malafides or allegation has been made against any officer who has recorded his confidential remarks and similarly there is no allegation or any imputation againsts any member of the Z. P. C. and in that context it was not at all necesary for him to produce and discloses the confidential records to the other side. From the pleadings I find that there is no specific allegation or charge of malafides against any specific senior officer who has written the confidential reports or who has officiated as a member of the Z.P.C. Indeed there is no pleading of the first party that any superior officer of Sreenivasan who was responsible for writing the confidential report or any member of the Z. P. C. had any motive and that he has acted with malafide intention. In the obsence of such a pleading, I find that the contention of the learned counsel of the second party is sustainable. From the pleadings and the evidence placed before me I am of the view it is not necessary to call for the confidential report of the employee Sreenivasan, for the proper adjudication of the dispute. In this case, in the year 1978 a minor penalty was imposed on Sri. Sreenivasan for recovery of amounts. It is contended that Z. P. C. was not justified in denying promotion on the ground of existence of a minor penalty. In the counter statement of the second party in para 6 it has been contended as follows :—"The promotion to category II (Assistant Manager) is on merit-cum-seniority basis. It is respectfully submitted that the selection for promotion will be made by a committee appointed for the said purpose and by considering all the service records and merits of the individual candidates ....." In para 8 of the counter statement it is stated as fellows : "The Z.P.C. considered all the eligible candidates for promotion to the post of Assistant Manager (Accounts) and Sri K. V. Sreenivasan was also considered for the promotion by the said Z.P.C. in the meeting held on 13-12-1978. It is respectfully submitted that the said committee found Sri. K. V. Sreenivasan not fit for promotion and the performance of the said employee during 1975, 1976 and 1977 was considered and service records and confidential reports were taken into account while considesing Sri. K. V. Sreenivasan for promotion. Again in 1979 when the Z.P.C. considered the eligible candidates for promotion Sri K. V. Sreenivasan was also considered for promotion. It is respectfully submitted that at that time Sri. K. V. Sreenivasan was charge sheeted for shortage of foodgrains as mentioned and he was found to be guilty of the charges and he was ordered to pay a sum of Rs. 6,300,59, paise and the same was to be recivered from his salary. In view of the pendancy of the vigilance case, he could not be selected for promotion.. .." "It is respectfully submitted that the promotion is not based on mere seniority but it is merit-cum-seniority and based on pertormance of individual employee in the corporation. Hence, on account of valid and justified reasons, Sri K. V. Sreenivasan could not be promoted so far ..". In para 11 of the counter statement it is again stated as follows: "It is true that for the purpose of promotion, merit is considered on the basis of the confidential reports given by the officers under whom the employee worked. However, that is not the only test. The performance of three years prior to the year of promotion, and during which the committee makes the selection and the entire service record of the employee would be considered while selecting for promotion.....". There is no circular by the Central Government or Food Corporation of India statnig that such punishment of recovery imposed on Sri. K. V. Sreenivasan should not be considered while considering his case for promotion. It is submitted that Sri. K. V. Sreenivasan was under cloud of vigilance proceedings during the relevant period and he could not be found fit for promotion and he could not be promoted.....".

17. Turning to the evidence of WW-1 Sreenivasan there are following statements. Para 8 "there is a departmental promotion committee for making recommendations for promotion. Promotion is based on seniority-cum-merit". "Para 10, till today no adverse remark have been communicated to me". "Para 72 promotion is given on the basis seniority-cum-merit. Before promotion, the matter goes before the promotion committee and it reviews the whole matter and makes recommendations..... .....".

"Para 73 the promotion committe goes through, only the confidential reports. "Para 87 since no adverse remarks are communicated to me, I say that there are no adverse remarks against me". "Para 88 I had no access to confidential reports regarding my service".

18. In the evidence of MW-1 Suraj Prakash there are following statements. "Para 6. The promotion is guided by merit-cum-seniority and not merely seniority. "Para 8 whenever these are vacancies of promotional quota a duly constituted Z.P.C. considers the concerned cases. Z.P.C. peruses the confidential reports of the persons, who are eligible for consideration. "Para 9 Z.P.C. found out, who are very or

so in the over all assesment of the annual confidential reports". "Para 10 even if an employee is senior, if the Z.P.C. does not find him to be of the required rating, he will not be included in the panel. Those who are under the vigilance cloud, will not be promoted, even if they are in the panel until such time that they are free from the vigilance cloud'. 'Para 15 .....over all performance as recorded by these officers is taken note of'. "Para 17 in 1978 case of Sreenivasan was considered by z.p.c. along with other eligible employees. Then he was not empanelled. Some others, who where senior to him were also not empanelled, because the Z.P.C. did not find the rating with them'. "Para 18. In 1979 the Z.P.C. did consider his case along with case of other eligible employees. He was then empanelled". "Para 20. Sreenivasan, was not promoted, through empanelled in 1979 because his case was not free from vigilance cloud". "Para 2. The loss was of about 20 bags of foodgrains. The enquiry officer had held that there was deliberate tampering of records. Because of the said penalty his empanelment became infructuous". "Para 23 of the next meeting of the Z.P.C. was in 1984. His case was again considered along with the case of others. He was not found fit and he was not empanelled . "Para 25, and in 1986 there was again the meeting of the Z.P.C. His case was considered along with the cases of others. Based on the rating, he was empanelled and he has been promoted and he was working as an Assistant Manager in Karnatak Region". "Para 26 the ACR'S (Annual conndential reports) of five years are considered along with over all assesment, as reflected in the ACR'S". "Para 40. In the case of Sreenivasan there is no adverse remark and there was no occasion for communicating the same to him". "Para 42. No separate reasons are recorded by the Z.P.C. for not promoting certain employee. (Vol, Gradation will be there)". "Para 53. The Z.P.C. takes into consideration the list of persons according to seniority eligible for consideration for promoting. Against each person there will be marking of ratings and then they will be empanelled".

19. Since it is an admitted fact that there was no adverse remark in the case of Sreenivasan, I find that it is not at all necessary to call for the confidential records. As per the evidence of MW-1 Suraj Prakash a table of ratings is prepared based on the confidential reports and that the suitability of the employee for promotion is determined on the basis of such rating and then he is empanelled. It is an admitted fact that in Z. P. C. of 1979, he was included in the panel. The staff regulation of 1971 of the second party has been produced before me at Ex. M-1. Regulation No. 10 provides for the procedure for promotion. Clause (1) shows that in regard to non-selection posts indicated in apendix I, promotion should be made on the basis of the seniority subject to fitness. Clause 3 shows that all promotions shall be considered by a promotion board duly constituted for the said purpose and the same shall be regulated by the general instructions issued by the Board of directors. No general instructions in that connection issued by the Board of directors, have been produced before me. Appendix I on page 84 shows that for category II posts of the Assistant Manager, 62.2/3per cent is by promotion. The contention that promoting is by seniority-cum-merit is not supported by Ex. M-1. The second party has proved that the promotion of employees from Assistant Grade No. I to the post of Category II of the Assistant Manager is by Merit-cum-seniority as per regulation No, 10 and appendix I of page 84 of Ex. M-1. Regulation No. 10 (2) makes it very clear that selection shall be made on the basis of merit and seniority shall be considered only when the merit of contending candidates is approximately the same. The evidence of MW-1 Suraj Prakash that whenever there is vigilance cloud, the employee is not entitled to promotion, even if he is empanelled has not been challenged. No employee has a right to claim promotion. He has only a right to claim that his case for promotion shall be considered by the management, if he has got the required seniority. The very fact that he was em-panelled in 1979 indicates that the Z. P. C. did considered his case. There is nothing to dis-believe the evidence of MW-1 Suraj Prakash that in 1978, 1979 and 1984, the Z. P. C. did consider his case for promotion along with the cases of other eligible employees. The counter statement of the second party in paras 7 and 8 discloses that the vigilance department of the Food Corporation of India had found that he was responsible for the shortage of 20 bags of wheat, when he was working and that a charge sheet dated 26-6-76 was issued to him. Para 9 shows that in addition to the recovery of Rs. 6,300/59 paise there was an order of stoppage of one increment with effect from 1-1-1980 as per the order No. VIG/24/76 dated 16-10-79. Ex. W-2/ dated 1-11-1980 shows that the said orde. was modified and penalty of censure was imposed. As the matters stood in 1979 the Z. P. C. had before it the material that there was an order for recovery for Rse. 6,300/59 paise and stoppage of one increment and a warning. Para 3 of the counter statement shows that when the order of recovery from Rs. 6,300/59 paise was passed by the Regional Manager Food Corporation of India on 9-5-1978 in case No. VIG/20/74 on 9-5-1978, the employee challenged the same before the zonal manager, and the zonal manager confirmed it on 14-2-1979. The first party has not disputed by any re-joinder that Sreenivasan had challenged the said order dated 14-2-1979 in W. P. No. 1313/79 or that the Hon'ble High Court allowed the same on 11-4-1979 directing the Food Corporation of India to reconsider the matter. Similarly there is no challenge by the first party that the zonal Manager reviewed the said order and that a final order was passed only on 16-11-1979.There is an assestion in para 3 of the counter statement that the said order dated 16th November, 1979 of the Zonal Manager was again challenged by Sreenivasan in W.P. No. 3,601/80. The first party has filed the order dated 15th October, 1987 passed by the Hon'ble High Court of Karnataka in W.P. No. 3601/80. It is thus obvious that till 15th November, 1987 the management, or the Z.P.C. had before it the said record of penalty against the employee that a sum of Rs. 6,300/59 paise was to be recovered and that there was a further penalty of censure against him and that the said penalties of the management had originated from the vigilance department cases and that they were still pending final decision before the Hon'ble High Court of Karnataka. The evidence of MW-1 shows in para 21 that the enquiry officers had held that there was deliberate tampering of records. In that context it cannot be said that the management was not justified in not promoting him in 1979, though he was empanelled. In the Z.P.C. meeting held in 1978 he had not been empanelled because he did not have the required rating. Even supposing that the case of the second party cannot be believed that he had no required rating when the Z.P.C. considered his case 1978, there is no dispute on the point that there was vigilance cloud as regards his case for promotion and therefore it is obvious that the management cannot be said to be not justified in not promoting him in 1978. However, it is reiterated that from the evidence of MW-1 a finding emerges that he had no required rating in 1978 and he cannot claim promotion with effect from 1978, irrespective of the vigilance cloud.

20. The question whether the management was justified or not in not empanelling him and promoting him in 1984 does not raise, since a finding is being recorded that he is entitled to get promotion since 1979.

21. The only question that remains to be discussed is therefore whether the management was justified in not promoting him in 1979, though he was in the panel of the employees who were to be promoted.

22. The learned counsel for the second party contended that the order passed by the Hon'ble High Court of Karnataka on 15th October, 1987 is being challenged by the second party and thus it cannot be taken into account. The learned counsel for the second party further relied upon the affidavit dated 9th December, 1987 of Sri M. G. Tirumalachari, Deputy Regional Manager, and pointed out that the management has decided to refer an appeal against the order passed by the Hon'ble single judge in W.P. No. 3601/80 and that till the matter reaches its finality, the said order dated 15-10-1987 may not be taken into account. It was further argued for the second party that if the first party or the employee has any claim for promotion of Sreenivasan by virtue of the said order they shall have to raise a new dispute and that in the present dispute it cannot be ordered that Sreenivasan is entitled to promotion on the strength of the said order dated 15th October, 1987. In reply, the learned counsel for the first party argued that at the present moment the order of the Hon'ble High Court of Karnataka is binding on this Tribunal and it does not lie in the month of the second party to contend that the matter is still pending, or sub-judice. It is difficult to accept the contention that the order of the Hon'ble

and cannot be taken as final. It shall have to be held that the order of any penalty passed by the second party in the vigilance case 24/76 is no longer in existence.

23. The learned counsel for the first party has placed before me the authority of M. G. Sirsikar v/s. State of Mysore [1966(2) Mysore Law Journal page 584] and also the order passed in the case of R. Sheshadri v/s. Food Corporation of India in W.P. No. 13990/80. In the present case also there is no dispute, on the point that except for the vigilance cloud for which the penalty of recovery of Rs. 6,300-59 paise was ordered to be recovered, there was no other major penalty or any other vigilance cloud which impelled the management not to promote him in 1979, though he was in the panel. The facts of the case of Sheshadri are similar and in view of the order dated 15th October, 1987 of the Hon'ble High Court of Karnataka and the precedent of W.P. No. 13990/80. I find that the employee is entitled to get promotion with effect from 28th December, 1979 on which date Sl. Nos. 46, 48 and 50 of the seniority list were promoted. The management shall have to rank him as a senior to Sl. No. 46 as on that date.

24. In the result an award is hereby passed to the effect that Food Corporation of India employees union is not entitled to claim promotion for Sri K. V. Sreenivasan Assistant Grade I (Accounts) to the post of Assistant Manager (Accounts) with effect from 1978, but it is held that it is justified in claiming promotion for him to the said post with effect from 28th December, 1979. It is further ordered that the second party management shall place him above Dhanraj of Sl. No. 46 as on 28th December, 1979 and that it shall give and pay him all the consequential benefits.

(Dictated to the Secretary taken down by him and got typed and corrected by me).

B. N. LALGE, Presiding Officer

[No. L-42012/11/85-D.V]

का.आ. 821—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारतीय खाद्य निगम लुधियाना के प्रबन्धतन्त्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2 फरवरी, 1988 को प्राप्त हुआ था।

S.O. 821.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Chandigarh, as shown in the Annexure in the industrial dispute between the employers in relation to the management of Food Corporation of India, Ludhiana and their workmen, which was received by Central Government on the 2nd February, 1988.

ANNEXURE

BEFORE SHRI M. K. BANSAL, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 89/85

PARTIES :

Employers in relation to the management of Food Corporation of India

AND

Their workman Amin Chand.

APPEARANCES.

For the workman—Shri P. K. Singla.

For the management.—Shri N. K. Zakhmi.

INDUSTRY : FCI. STATE : Punjab.

AWARD

Dated, the 27th January, 1988

Central Government, vide gazettee notification No. L-42012(1)/85-D.V. dated the 27th October, 1985 issued under Section 10(1)(d) of the Industrial Disputes Act, 1947 referred the following industrial dispute to this Tribunal for decision which is as under :

"Whether the action of the management of Food Corporation of India, in terminating the services of Shri Amin Chand son of Shri Mangal Ram Watchman w.e.f. 31st January, 1984 is just and legal ? If not, to what relief is the workman entitled and from what date ?"

2. The case of the workman is that he was engaged by the FCI Ludhiana on 24th October, 1980. That he worked there up to 31st January, 1984. That his services were terminated without any notice or retrenchment compensation. That his termination is void due to violation of provisions contained in Section 25-F, G, M, N of the Act. That after terminating the services of the workman some other persons have also been employed.

3. The management in their reply alleged that the workman was engaged by A.M.(D) at FCI Food Storage Depot Jagraon as casual labourer on day to day basis as per D.C. approved rates. That workman was not a regular employee of the FCI and was paid for number of days he has worked. That question of termination of his services does not arise. That there is no question of continuity of service because workman was not engaged on day to day basis.

4. In support of their respective allegations workman placed his affidavit on the file and management also placed affidavit. MW1 Man Mohan Singh admitted that no retrenchment compensation was given to the workman. He also admitted that after removal of the workman FCI has engaged other persons. The workman in his cross admitted that he used to be paid on day to day basis as per D.C. approved rates for number of days on which he worked.

4. In the present case the only point to be determined is whether workman worked for 240 days in one year prior to his termination. Workman requested the management to produce the attendance sheet about his working days. W5 to W12 is the attendance sheet about working of the workman with FCI from May, 1981 to 31st January, 1984. The attendance register for the months of 1st February, 1983 to 31st January, 1984 is W8 to W9. Perusal shows that workman has worked for more than 240 days with FCI even after excluding weekly rest days. So fact remains that services of the workman could not be terminated by the FCI without any notice or retrenctment compensation and as in the present case the provisions of Section 25 of the I.D. Act were not complied with while terminating the services of the workman so the effect is that workman is entitled to be re-instated in service with continuity in service from the back date i.e. 31st January, 1984. As regarding the claim for back wages is concerned I am of the view that FCI should not be burdened with liability for all the back wages. Workman being able bodied person must have earned something during the period he remained out of employment. It is admitted by him that he supported his family by working with his father or taking something in lieu thereof from his father. Father have not been produced to show as to where he was working and as to how must amount he could render for help of his son. So I am of the view that workman should get only half of the back wages as per D. C. approved rates. In a way reference is answered in favour of the workman and against the management.

Chandigarh,

27-1-1988.

M. K. BANSAL, Presiding Officer

[No. L-42012/1/85-D.V]

का.आ. 822 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, सहायक अभियन्ता, माइक्रोवेव प्रोजेक्ट, वाराणसी के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1 फरवरी, 1988 को प्राप्त हुआ था।

S.O. 822.—In pursuance of the section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Kanpur, as shown in Annexure in the industrial dispute between the employers in relation to the management of Assistant Engineer, Microwave Project, Varanasi and their workmen, which was received by the Central Government on the 1st February, 1988.

ANNEXURE

BEFORE SRI ARJAN DEV, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, KANPUR

I.D. Case No. 146 of 1987

In the matter of dispute between :
Sri Babban Singh,
C/o N. C. Pandey,
C-323 Guruteg Bahadur Nagar,
Kareli, Allahabad.

AND

The Assistant Engineer,
Microwave Project,
Varanasi.

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-40012/41/86-D-II(B) dated 21st September, 1987, has referred the following dispute for adjudication to this Tribunal :

"Whether the action of the Assistant Engineer Microwave Project, Varanasi in terminating the services of Sri Babban Singh, Ex-Chowkidar w.e.f. 8th November, 1985 is just legal ? If not, to what relief the workman concerned is entitled ?"

2. In the instant case the first notice was issued on 29th September, 1987 fixing 29th October, 1987 for filing of claim statement. On 29th October, 1987, the workman was found absent but the management put in its appearance. However, 20th November, 1987 was fixed for filing claim statement on behalf of the workman. On 20th November, 1987 again the workman was found absent and the case was ordered to come up on 15th December, 1987. On 15th December, 1987, Sri N. C. Pandey, authorised representative for the workman moved an application seeking time to file claim statement on behalf of the workman. The application was allowed and 6th January, 1988 was fixed in the case to file claim statement. On 6th January, 1988 again workman was found absent. Neither workman himself nor his authorised representative appeared to file claim statement. It seems that the workman is not interested to prosecute his case. Hence, a no claim award is being given in the case.

ARJAN DEV, Presiding Officer

[No. L 40012/41/86-D.II(A)]

का.आ. 823 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, सहायक अभियन्ता, माइक्रोवेव प्रोजेक्ट, वाराणसी, के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1 फरवरी, 1988 को प्राप्त हुआ था।

S.O. 823.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of Assistant Engineer, Microwave Project Varanasi and their workmen, which was received by the Central Government on the 1st February, 1988.

ANNEXURE

BEFORE SRI ARJAN DEV, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, KANPUR

I.D. Case No. 14 of 1987

In the matter of dispute betwen :
Sri Surendra Pratap Yadava,
C/o N. C. Pandey,
C-323 Guruteg Bahadur Nagar,
Kareli, Allahabad.

AND

The Assistant Engineer,
Microwave Project,
Varanasi.

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-40012/40/86-D.II(B) dated 21st September, 1987, has referred the following dispute for adjudication to this Tribunal :

"Whether the action of the Assistant Engineer, Microwave, Project. Varansai in terminating the services of Shri Surendra Pratap Yadava, Ex-Chowkidar with effect from 8th November, 1985 is just and legal ? If not, to what relief the workman concerned is entitled ?"

2. In the instant case the first notice was issued on 29th September, 1987 fixing 29th October, 1987 for filing of claim statement. On 29th October, 1987, the workman was found absent but the management put in its appearance. However, 20th November, 1987 was fixed for filing claim statement on behalf of the workman. On 20th November, 1987 again the workman was found absent and the case was ordered to come up on 15th December, 1987. On 15th December, 1987, Sri N. C. Pandey, authorised representative for the workman moved an application seeking time to file claim statement on behalf of the workman. The application was allowed and 6th January, 1988 was fixed in the case to file claim statement. On 6-1-1988 again workman was found absent. Neither workman himself nor his authorised representative appeared to file claim statement. It seems that the workman is not interested to prosecute his case. Hence, a no claim award is given in the case.

ARJAN DEV, Presiding Officer

[No. L-40012/40/86-D.II(B)]

नई दिल्ली, 15 फरवरी, 1988

का.आ. 824 :—औद्योगिक विवाद, अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, केन्द्रीय लोक निर्माण विभाग के प्रबंधतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में श्री जी.के. खेमानी, श्री एच. एस. वस्त और श्री एम. जी. वानरे, मध्यस्थों के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 31 जनवरी, 1988 को प्राप्त हुआ था।

New Delhi, the 15th February, 1988

S.O. 824.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Arbitrators, as shown in the Annexure in the industrial dispute between the employers in relaion to the management of C.P.W.D. and their workmen, which was received by the Central Government on 31st January, 1988.

N. Arbitration/Con-I/86
OFFICE OF THE BOARD OF ARBITRATORS ROOM NO. 507, SHARAM SHAKTI BHAVAN, NEW DELHI

Dated, New Delhi, the 31st January, 1988

To

The Secretary to the Govt. of India,
Ministry of Labour,
Sharam Shakati Bhavan,
New Delhi.

Subject :—Arbitration under Section 10-A of the I.D. Act between the CPWD Administration and the workmen represented by CPWD Mazdoor Union—Submission of Award.

Dear Sir,

We have pleasure to present the below placed Award of Arbitrators (6 copies) in Industrial Dispute referred to above under Ministry of Labour Notification No. L. 42013/1/86-DIIB dated 31-10-86.

This may be published in official Gazette as per statute.

Yours faithfully,

M. G. WANARE, Umpire

(G. K. KHEMANI)
Adbitrator

D.A.

1. Two copies of Award
2. Original Award of Sri Khemani.
3. Original Award of Shri Vats.
4. Five Spare copies of Award.

(H. S. VATS)
Arbitrator

BEFORE SHRI M. G. WANARE, UMPIRE & SHRI G. K. KHEMANI AND SHRI H. S. VATS

ARBITRATORS

(ARBITRATORS UNDER SECTION 10-A OF INDUSTRIAL DISPUTES ACT 1947, ROOM NO. 507, 5TH FLOOR, SHARAM SHAKTI BHAVAN, NEW DELHI)

(Notification No. L-42013/1/86-D.II(B) dated 31st October, 1986 read with Notification dated 7th November, 1986 issued by the Government of India in the Ministry of Labour)

I.D. No. Arbitration/86/Con. I

In the matter of Industrial Dispute between the Management of :

Director General Works,
C.P.W.D. Nirman Bhawan,
New Delhi,
Through
Director of Administration

.....Management/ Employers

AND

Its Workmen,
Represented by CPWD Mazdoor Union,
E-26 (Old Qtrs), Raja Bazar, Baba Kharak Singh Marg,
New Delhi,
Through
General Secretary.

.....Workmen

APPEARANCES :

1. For the Management :

(i) Shri S. Ranganathan, Director of Admn.

(ii) Sh. T. S. Vardarajan, SSW-B II.

(iii) Shri S. M. Das, DD (Trg.)

(iv) Shri B. B. Singh, DDA-II.

(v) Shri Chander Sain, D.A.

2. For the Workmen :

Shri B. K. Prasad,
General Secretary,
CPWD Mazdoor Union.

AWARD

The management of Director General of Works, CPWD, Nirman Bhavan, New Delhi representing employers (hereinafter briefly CPWD Admn.) entered into an agreement under Section 10-A of the Industrial Disputes Act, 1947 (hereinafter briefly the Act) with the General Secretary, CPWD Mazdoor Union, E-26 (Old Qtrs), Raja Bazar, DIZ Area, Baba Kharak Singh Marg, New Delhi representing workmen (hereinafter briefly the Union) for adjudication of the industrial dispute to the arbitration of Shri M. G. Wanare, Umpire, Shri G. K. Khemani, Arbitrator and Shri H. S. Vats, Arbitrator (hereinafter briefly Arbitrators) and the terms of reference were as follows :

"Specific matters in disputes :

Whether the demand of the CPWD Mazdoor Union regarding re-categorisation/re-classification of work-charged staff and regular classified categories with effect from 1st January, 1973 on the analogy of classification given in the scheduled employment—(i) construction or maintenance of roads or in building operations ; and (ii) the maintenance of buildings and employment in the construction and maintenance of runways, as listed in the Annexure is justified ? If not, to what relief the workmen concerned are entitled ?"

ANNEXURE

Re-categorisation/re-classification of W.C. Staff and regular classified categories w.e.f. 1st January, 1973 on the analogy of classification of scheduled employment as per schedule fixed under Minimum Wages Act, 1948, as listed below:

Sl. No.	Category of post	Pay scale	Categorisation Classification
1.	Beldar, Bhisties, Chainman, Khalasi, Mali, Forest Guard, Sweeper, Cleaner, Waterman, Chowkidar, Bearer	Rs. 196—232	Unskilled

All the categories mentioned above, the incumbents of the posts having served for three years shall automatically be converted and paid in the pay scale of Rs. 210—290 in the present case who were in service on 1st January, 1973 be given this time scale w.e.f. 1st January, 1976.

2.	Sweeper, Jr. Gest. Operator, Head Sweeper, Farash, Bhishti, Lift Khalasi	Rs. 240—320	Semi-skilled

All the workers after putting three years of service be provided pay scale of Rs. 260—350 to provide promotions.

3.	Bullockman, Mate, Syce, Packer, Stocker, Bandhani, Gharmi, Serviceman Air-conditioning and Refrigeration, Head Sweeper, Sanitary Jamadar, Building Jamadar, Fireman, Cook, Farash, Jamadar, Lab-Attendant, CookBearer, Challan Guard, Gauge Reader, Meter Reader, Sewerman, Switchboard Attendant, Lift Operator (Light Speed Lifts), Dresser.	Rs. 260—400	Skilled

All the workmen after putting three years of service be given selection grade in pay scale of Rs. 260—430.

4.	Sr. Mali, Lineman, Plumbing Asstt. Plumber, Asstt. Armature Winder, Asstt. Lineman, Asstt. Miller, Asstt. Painter, Asstt. Wireman, Asstt. Tinsmith, Asstt. Upholster, Asstt. Turner, Asstt. Blacksmith, Asstt. Boilerman, Asstt. Carpenter, Asstt. Mason, Asstt. Mechanic, Asstt. Welder, Asstt. Operator, (Electrical & Mechanical), Caneman, Operator (Electrical & Mechanical, Mechanic Air-conditioning and Refrigeration, Chowdhury, Armature Winder, Wireman, Lineman, Painter, Tinsmith, Turner, Fitter, Boilerman Mason, Carpenter, Welder, Upholster, Mechanic, Cable Jointer, Plumber, Tailor, Stone Cutter, M. L. Driver, Road Roller Driver, Moulder, Lab. Asstt. Staff Car Driver, Fireman Jamadar, Lift Operator (High speed lifts).	Rs. 330—560	Highly Skilled
5.	Electrician, Sr. Mechanic Air-conditioning & Refrigeration, Sr. Mechanic, Sr. Operator, Pattern Maker, Boilerman, Work Asstt., Road Inspector, Head Gardner.	Rs. 425—640	Highly skilled Gr. IV.
6.	Foreman Elecrical Mechanical Air conditioning and Refrigeration, Radio Mechanic-cum-Operator, Works Asstt. Selection Grade, Sanitary Inspector, Cinema Operator, Surveyor, Asstt, Radio Mechanic-cum-Operator.	Rs. 425—700	Highyly skilled Gr. III.
7.	Technical Operator, Sr. Sanitary Inspector, Engineer, Supervisor and all the incumbents of highly skilled-III (converted) after putting three years of service be promoted in the time scale.	Rs. 455—800	Highly Skilled Gr II
8.	Supdg. E&M All the incumbents after conversion to highly skilled Grade II having put in 3 years of service be promoted in the next time scale as Highly Skilled Gr. I.	Rs. 550—900	Highly Skilled Gr. I

NOTE :

(i) Promotion posts for Civil/Horticulture be created in skilled Gr. I, II & III.

(ii) Next scale demanded above be given to all workers who have completed three years of service as on 1st January, 1976 or after whichever is later.

(iii) Selection grade be provided in all posts mentioned above.

2.1 The Arbitration Agreement under Section 10-A of the Industrial Disputes Act, containing all annexures viz. agreement in the prescribed manner alongwith consent of all the Arbitrators were sent to the Government of India in the Ministry of Labour by both the parties with a joint request to make a reference for adjudication in the matter and publication in the Official Gazette in accordance with Law. The Government of India in the Ministry of Labour examined the said request and formed the opinion that there exists an industrial dispute between the Management of Director General (Works), CPWD, Nirman Bhavan, New Delhi and their workmen represented by CPWD Mazdoor Union, New Delhi and accordingly it was published in Official Gazette by the Central Government in the Ministry of Labour by way of order No S.O. No 3815 dated 8th November, 1986 under File No. L-42013|1|86-D.II(B) dated 31st October, 1986 in Part II, Section 3, Sub-Section (II) of the Gazette of India Under Sub-Section (3) of Section 10-A of the Act for adjudication by the Arbitrators namely Shri M. G. Wanare, Umpire, Shri G. K Khemani, Arbitrator and Shri H. S. Vats, Arbitrator forming Board of Arbitrators (all these three Arbitrators are hereinafter referred to as the Board of Arbitrators for sake of brievity).

2.2 The Central Government vide its Notification No. L-42013/1/86-D.II(B) dated 7th November, 1986 published in Part II, Section 3, Sub-Section (ii) of the Gazette of India notified in pursuance of Sub-Section (3A) of Section 10A of the Act, after satisfying itself that the person in the reference represent the majority of each party, for the information of employers and workmen who were not parties to the arbitration agreement but were concerned in the dispute that they shall be given an opportunity of presenting their case before the arbitrators.

3.1 The Board decided that CPWD Administration and the Union who are party to the agreement be given notices to file their say/claims and notices were also issued to CPWD Workers' Union, though not a party to arbitration agreement, but who has requested telephonically that they were concerned in the dispute and be given an opportunity. The Board of Arbitrators also advised CPWD Administration to *give wide publicity to the Government notifications* dated 31st October, 1986 and 7th November, 1986 as referred to under Para 2:1 and 2·2 herein above to enable them to file claims/say in the dispute—employers and the workmen of CPWD—to send their representations in writing to the Board by 15th January, 1987 Wide publicity referred to above included to display notice on the notice boards wherever provided in the units/establishments of the CPWD Administration wherever exist all over the country with the address of the Board of Arbitrators The date of filing their say by the parties to the industrial dispute and also parties interested in the said dispute was extended to 19th January, 1987

After extended time when the Board of Arbitrators met on 19th January, 1987, comments from unions/sanghs mentioned against each were received on the dates mentioned against each of them.

(i) Central PWD Workers' Union, Jorbagh Lane Aliganj New Delhi dated 1st January, 1987.

(ii) Kendriya Lift Karamchari Sangh (Regd.), F 438, Kasturba Nagar New Delhi dated 13th January, 1987.

(iii) CPWD Mazdoor Union, E-26. Raja Bazar, DIZ Area, Baba Kharak Singh Marg, New Delhi dated 13th January, 1987.

(iv) CPWD Workers' Union, Shimla-3 dated 13th January, 1987.

(v) Director of Administration, Office of Director General (Works), CPWD, New Delhi dated 15th January, 1987.

(vi) CPWD Mazdoor Union dated 19th January, 1987.

3.2 The Board of Arbitrators decided on 19th January, 1987 to hold open hearings on every Tuesday and Friday from 2nd February, 1987 at 4.00 p.m. in E-Wing, Nirman Bhavan, Ground Floor, and advised CPWD Administration to give wide publicity in all the establishments of CPWD throughout the country in addition to unions of the workmen—for the information and knowledge of all employers—workmen not parties to the arbitration agreement but might be concerned in the dispute so as to enable them to give an opportunity to present, file or submit their say before the Board.

3.3 The Board of Arbitrators also decided in their meeting held on 19th January, 1987 that the quorum of the Board shall be two.

3.4 The CPWD Administration prayed for extending the date by two months to enable them to file their claim/views before the Board of Arbitrators was not acceeded to, they—employers CPWD Administration, were however given chance and were directed to file their reply by 27th January, 1987. The Prayer of CPWD Workers' Union, New Delhi dated 1st January, 1987 for grant of extension of time for filing their claims/statements upto 19th January, 1987 was considered by the Arbitrators and it was accepted. The Arbitrators further decided that any party to the dispute or any other interested party/person in the dispute which would be submitted by closing hours of the 27th January, 1987 shall be accepted. The parties to the dispute when appeared were directed to cause personal hearing on 28th January, 1987 which was adjourned to 30th January, 1987 on the request of CPWD Administration.

3.5 The parties to the dispute placed before the Arbitrators three copies of the agreement in the prescribed proforma addressed to the Secretary, Ministry of Labour, extending the time limit for submission of arbitration award by six months from 30th April, 1987 which has been considered by the Arbitrators and it was taken on record and placed as Annexure-I.

3.6 The Arbitrators after hearing both the parties decided on 30th January, 1987 to extend the date of submission of claims/counter replies to employers CPWD on the claims (duly received by the CPWD Admn.) made by the CPWD Mazdoor Union upto 30th March, 1987 which should be permitted to be extended to employers-workmen not parties to the agreement but are concerned with the dispute. CPWD Administration confirmed that they had received statement of claim of All India CPWD Workers' Union, Calcutta and also further confirmed that till date they had not received the statement of claim from CPWD Workers' Union, Delhi, both of whom not parties to the arbitration agreement but are concerned in the industrial dispute.

3.7 The Arbitrators took note of the fact that the parties have filed their statements of claims including rejoinder. Hearing, therefore, was fixed on 24th April, 1987 which date was adjourned at the request of management to 30th April, 1987.

3.8 The Arbitrators were urged by the union to visit different stations in the country to study the working of the workmen involved in the dispute to acquire first hand information on the points in question, considered carefully the request of Shri Prasad of the Union and decided to visit stations where fairly larger number of workmen are employed. The Arbitrators decided to visit Bombay sometime in middle of May 1987.

3.9 The Arbitrators held session on 30th April, 1987 and after consultation with both the parties, the following procedure was evolved and adopted:

(i) The first party in the dispute shall open their case which will be followed by reply.

(ii) The lists of witnesses to be examined shall be presented by the parties by 5th May, 1987.

(iii) List of documents to be relied upon by both the parties to be submitted before the Arbitrators by the parties.

(iv) The following is the list of documents to be produced by the management:

(1) CPWD Manual, Volumes I, II & III.

(2) Categorisation Committee Reports prepared on the basis of second and Third Pay Commissions.

(3) Criteria and the orders for the creation of regular classified establishment.

(v) List of documents to be immediately produced by Mazdoor Union:

(1) Delhi High Court Judgment on which the Union relies.

3.10 These documents shall be produced by the parties at their own cost. Apart from the above, if any document is required to be produced by the parties they will have to submit copies thereof at their own cost.

(vi) The parties shall produce the witnesses at their own cost.

(vii) Summation of the arguments will be submitted by both the parties after examination of witnesses and closing of arguments.

3.11 The Arbitrators also decided that they would hold discussions with the officers/workers of the department for studying the job content on 14th, 15th May, 1987 and on 3rd & 4th June, 1987 at Bombay at Calcutta respectively.

3.12 The list of workers i.e. witnesses were filed by both the parties to the Arbitration agreement. This has been listed as under:

Bombay

The Union	CPWD Administration
1. Kalicharan Balmiki, Sewerman	1. Shri A. C. Panchdhari, Chief Engineer (WZ)
2. M. T. Parb, Plumber	2. Sh. N. Krishnamurthy, Chief Engineer (E), South-West Zone.
3. Appy K. Nair, Beldar	3. Sh. I. K. Bhatte, S.E. (Civil)
4. Binin Chand Saligram Pawar, Beldar	4. Sh. V. N. Nikam, Asstt. Wireman
	5. Sh. A. Mayel, Wireman
	6. Sh. Nazzuruddin Jr. Engineer (Electrical)
Calcutta	7. Sh. Narain Laxman Matkar, Plumber
1. Shri Bhagirath Panja, Chowkidar	1. Sh. Chattopadhyay, SSW (EZ)

2. Sh. Sri Kant Shibhnath Bose, Beldar	2. Sh. A. K. Mukherjee, S.E.CCC.II
3. Sh. Mohd. Azumudin, Beldar	3. Sh. T. Krishnamurthy, C.E. (Elect.) East.
4. Ranjit Kumar Pal, Asstt. Armature Winder	4. Sh. S. N. Passar, E.E., Cal. Cent Elect. Divn II.
5. Ranjit Kumar Dutta, JE (Elect.)	
6. Sh. Shakti Kantsain Gupta, Work Mistry.	

3.13 The Arbitrators visited actual workspot to study the witnesses in action. The Arbitrators also examined and then cross-examined by the parties. Thereafter the Arbitrators heard submissions of both the parties as recorded in the proceedings dated 30th April, 1987.

The Union's Views :

3.14 Shri Prasad presented his case by making submissions or contentions made out in their statement dated 13th January, 1987 (Annexure-II) read with statement dated 15th April, 1987 (Annexure-B). He reiterated that the submissions dated 13th January, 1987 and 15th April, 1987 were a total case and that he had nothing more to add at the stage in the matter of opening the case. The concise points of workmen to amend/delete/alter posts in their claim dated 13th January, 1987 are as under :

The Union in its statement of claim dated 13th January, 1987 sought leave to amend/alter/delete posts mentioned in the arbitration agreement notified by the Ministry of Labour on 31st October, 1986 which are as follows :

1:(1) To delete Bhishty and Sweeper appeared in Arbitration Agreement in Item 1 because both items already appears at Item No. 2 of the Arbitration Agreement.

1:(2) To delete the post of Head Sweeper appeared in Item No. 2 of the Arbitration agreement as the same post is appeared in Item No. 3 of the agreement.

1:(3) Sr. Mali appearing in Item No. 4 of the Arbitration agreement be deleted from there and added at Sl. No. 3 in the skilled category. Further more floral decorator which is not appearing in item No. 3 and the post do exist in the skilled category in CPWD may be added at the Item No. 3 of the Arbitration Agreement.

2:(4) To include new category of Valveman, Asstt. Cook bearer, Enquiry Clerk in the pay scale of Rs. 260—400 at Item No. 3 of the Arbitration Agreement which do noe exist for the present.

2:(5) It is suggested that post of Enquiry Clerk be created in each enquiry and earmarked for promotional avenues to the industrial workers in the WC/Regular classified establishments and presently muster roll employees performing the duties of Enquiry Clerks be regularised.

2:(6) Valveman be created in each sections in the skilled category and be filed in on the basis of 100 per cent seniority in the unskilled, unskilled trained and semi-skilled trained categories.

3:(7) It is suggested that the unskilled and semi-skilled workmen be trained in the training institute if need be and promoted as skilled workmen on the basis of 25 per cent Limited Departmental Competitive Examination and 75 per cent strictly on the basis of seniority.

3:(8) It is requested that Lift Operator be given Rs. 260—400 from 1st January, 1973 and reclassified in the skilled category as they are operating the low speed lifts.

4:(i) Sr. Mali be deleted from Item No. 4 of highly skilled category and added in Item No. 3 of the skilled workmen.

4:(ii) It is requested that post of Asstt. Operator AC and Refrigeration and Operators AC & Refrigeration be added in Item No. 4 which are not appearing in the Arbitration agreement.

4:(iii) It is requested that Mechanic Lift may also be included which is not appearing in the Arbitration agreement.

4:(iv) It is requested to create a post of Lift Mechanic in every 8 lifts in Section/Sub-division/Division.

4:(v) It is requested that the post of highly skilled workmen in the pay scale of Rs. 330—560 from 1st January, 1973 be appointed on the basis of 25 per cent by way of Limited Departmental Competitive Examination of industrial workers irrespective of WC/Regular Classified Establishments and 75 per cent on the basis of seniority amongst the skilled workmen.

4:(vi) It is requested that the requirement of licence from respective states be dispensed with by seeking exemption as this practice made with a disgusting experience with the result there are serious accute stagnation amongst the employees and such conditions are not prevalent in Civil Aviation Department and D.E.S.U. Intensive training of the employees has been suggested and it is also requested that engineers should be authorised to certify the level of skilled and requirement of the job on electrical appliances as has been the practice in two establishment as referred to herein above.

4:(vii) It is requested that the post of senior machanic be read as Sr. Mechanic (Mechanical/Lifts).

4:(viii) The post as mentioned in para 5 and 5.1 of the statement of claim be created in each section which according to claim of the union shall dissolve acute stagnation in the service, provide promotional avenues to the industrial workers and rebrush the image of the organisation thereby increase in the productivity.

4:(ix) It is requested that Supervisory licence for the post of Electrician be dispensed away with.

4:(x) It is requested that the post be filled in on the basis of 100 per cent strictly on seniority.

4:(xi) It is requested that the mainteannce of lifts, refrigeration, electrical wiring, sweeping/senitation etc. presently being given to contractors may be dispensed away with and posts be created at the higher level so that service can be departmentally catered.

4:(xii) It is requested that all the workmen in highly skilled grade IV be drafted by way of promotion of highly skilled workmen strictly on the basis of 100 per cent by seniority.

4:(xiii) Item No. 6 be read as highly skilled Grade III.

4:(xiv) New posts of Foreman Lifts and Foreman Horticulture be created and re-classified as Highly Skilled Grade III in the pay scale of Rs. 425—700 from 1st January, 1973 in each sub-division.

4:(xv) The posts in the highly skilled Grade III in the pay scale of Rs. 425—700 be filled in by way of 100 per cent seniority amongst highly skilled grade IV.

4:(xvi) It is requested that all the persons in the highly skilled Grade III be completed after 3 years and given the pay scale of Grade II strictly on the basis of seniority.

4:(xviii) All the workmen in the highly skilled Grade II after putting 3 years of service be promoted in the highly skilled Grade I. It is also requested that in Civil/Hort. and AC&R be created in the highly skilled Grade I and given the pay scale of Rs. 550—900 w.e.f. 1st January, 1973

4:(xviii) It is submitted before the Arbitrators that other unions functioning in the Establishment of CPWD never raised this demand and it is on record that both the All India recognised unions have received commendation and appreciation of re-categorisation Committee Report after 3rd Central Pay Commission.

4:(xix) It is the request of the workmen that after reclassification and revision of pay scales consequent upon adjudication by this Board of Arbitrators be made applicable subsequently and fitment of 4th Pay Commission be done on same classification w.e.f. 1st January, 1986.

4:(xx) CPWD Workers Union, Shimla (recognised) for Shimla area in CPWD has submitted a statement of claim on 13th January, 1987 before the Arbitrators and in para 4 they have submitted that according to decision of their Union and justification of demands, statement of Claim submitted by CPWD Mazdoor Union to this Board of Arbitration be treated that as Union also as CPWD Workers' Union Simla, is presenting all CPWD workmen at all India Level in Shimla also. [Annex. II(C)].

4:(xxi) Kendriya Lift Karamchari Sangh registered vide their petition dated 13th January, 1987 have submitted that justification of demands and statement of claims submitted by CPWD Mazdoor Union for Lift Operators to this Board of Arbitration is on behalf of them also. [Annex. II(d)].

4:(xxii) All India CPWD Workers' Union, Calcutta in their statement of claims dated 15th January, 1987 before the Arbitrators have submitted that justification of demands and statement of claims by CPWD Mazdoor Union before the Arbitration is on behalf of that Union also. [Annex. II(E)].

4. Management's views :

4:0 The management of CPWD in its reply dated 8th April, 1987 (Annexure-III) before the Arbitrators has raised preliminary objections to the effect that the demands of the Union are total unrealistic and un-acceptable as in CPWD categorisation have been done according to job content of each category of workmen as contained in CPWD Manual Vol. III and are reviewed periodically by experts in the concerned discipline from within the Department. Two Categorisation Committees appointed by the Government in 1960 and 1973 reviewed the categories so the allegation that classification|categorisation or different posts, according to job contents has not been done, be not taken cognizance by the Board of Arbitration. Secondly, preliminary objection pertains to that after 3rd Pay Commission report the categorisation committee appointed during 1973 had made detailed examination and consulted individuals/unions and CPWD Mazdoor Union was not recognised at that time, so not consulted and raising the issues after 10 years is not justifiable especially as and when new union accorded recognition such issues need not be re-opened. Third preliminary objection of the CPWD Administration is against drawing parallels of municipal organisation, public sector undertakings and autonomous bodies on all of which even Minimum Wages Act, 1948 may not be applicable. Moreover, the reference is with regard to recategorisation and reclassification on the basis of Minimum Wages Act. On this count also the unrealistic attempt of the union to draw comparison with these organitions deserves to be ignored by this Hon'ble Board. Other objection of the CPWD Administration is with Minimum Wages Act, 1948 notified minimum rates of daily wages and with comparison does not hold good on the WC/Regular Classified Establishments who are in the regular pay scales and the service conditions of daily rated employees and WC/regular classified employees are different. Even in Ministry of Labour notification, there are semi-skilled and highly skilled and those notifications have already been taken into account by the experts of the Department in two Categorisation Committees. In CPWD, according to CPWD Administration, the supervision of skilled artisan is necessary as per their classification and experience. The CPWD Administration is also at variance to the demand of the workmen for revision of pay scales, re-classification and re-categorisation from 1st January, 1973 and the CPWD Administration, does not find any rationale in it alongwith the demand of workmen of higher scales from 1st January ,1976 or the date on which the workman complete 3 years service. The theory of 'National scales of pay' as envisaged by the Union is against discriminatory unlawful, and violative of labour laws and constitution of India, and is also not within the purview of arbitration reference.

4:1 On merits of demands the CPWD Administration has submitted :—

(1.1) The nature of the duties, it is confirmed unskilled even as per definition in the Ministry of Labour Notification dated 29th October, 1986 under Minimum Wages Act, 1948.

(1.3) The reply of CPWD Administration is, there is no category of trained or untrained unskilled workmen and proper qualification for the unskilled, in the notification under Minimum Wages Act.

(1.5) The CPWD Administration accepts that in CPWD unskilled workmen acquired the experience over a period of time and permitted to higher category by passing appropriate trade test and the demand of the Union, simply to give higher scale of pay after 3 years, would only be counter production and kill interest and enthusiasm in the workmen to acquire more knowledge of skill.

(1.6) The CPWD Administration had opposed the comparison between the employees of Central Government and Autonomous Bodies/Public Sector Undertaking and prayed for rejection of the demand.

(2.2) The CPWD Administration opined that the category of Sweeper is a common category and there is unskilled pay scale in all the Departments/Ministries and sweeping is unskilled in the Ministry of Labour Notification also. The comparison with autonomous organisations and public sector undertakings would not be appropriate so request the arbitration to reject the demand.

(2.3) Just CPWD Administration has opposed the demand for higher pay scales to Bhisty, Lift Khalasi and Farash just because a stray workman has been asked to do job requiring higher skill.

(2.4, 5, 6, 8) The CPWD Administration opined that the demand of the workmen does not fall in the arbitration reference so they are opposed to.

(3.1, 2, 5, 7, 8, 10, 11) CPWD Administration opined not to accept as the same are not in the arbitration reference.

(3.4, 6 & 9) There is proper categorisation and no change is waraanted according to job content of the category, the workman belonged to.

(3.10) The automatic promotion shall be counter productive, kill the initiative so may be rejected.

(4.2) The CPWD Administration opposed the demand as such category does not exist.

(4.4, 9, 10) CPWD Administration opposed because it is not in the arbitration agreement.

(4.5) CPWD Administration disputes that Assistant Category and full category are performing same duties. he categorisation, is according to job, requirement as indicated in CPWD Manual Vol. III with qualification, trade test requirements etc.

(4.7 & 8) CPWD Administration opposed comparison of Muster Roll employees and WC/Regular Classified Establishments as they are on different footings with a service conditions and decision of Regional Labour Commissioner (Central), Kanpur and Delhi High Court pertains to daily wages workers which does not have relevance to workers in the WC/Regular Classified Establishments.

(5.1, 2, 3, 4, 5, 6 & 7) CPWD Administration opposed because neither such categories are in highly skilled IV category in Ministry of Labour notification and are also out side the scope of the arbitration reference.

(6.7, 8, 9, 10) Such categories are not available in Ministry of Labour notification and are also outsite the ambit of arbitration reference.

10. The CPWD Administration denied this para and submission made that there are two more recognised unions in CPWD on All India basis and CPWD Mazdoor Union got provisional recognition in December, 1983 pending verification of membership.

4.2 CPWD Administration did not give its comments or reply to statement of claim submitted by All India CPWD Workers' Union, Calcutta, CPWD Workers' Union, Shimla, Kendriya Lirt Karamchari Sangh registered, though copies of the same were received by the Administration.

4.3 Shri S. Ranganathan submitted that his written statements made on 8th April, 1987 (Annexure-III) be held good and he sought leave to make the following additions to the statement.

(i) The claim of the opposite party that the recategorisation should be done w.e.f. 1st January, 1973 is not tenable to recategorise 'the categories from 1st January, 1973. We are not in 1987 i.e. more than 14 years during which period there has been advances in the engineering technology and technical skills. It is quite possible that a particular category categorised as a skilled, semi-skilled or highly skilled at that time perhaps might be upgraded now due to this reason. In 1973 an expert body consisting of specialists in their own fields had gone into the nature of work being performed at that time by the workers and their conclusions and recommendations being related to the conditions prevailing at that time will be more valid than re-categorisation that might be attempted now by a body, however, specialist and learned it might be, because it is humanly impossible to relate the nature of work being done now that that such an Expert Body can do now is to be categorise the workers with reference to the nature of work being at present performed by them from a date which is prospective or which is not far distant in the past.

(ii) One of the demands of opposite party is than an unskilled workers after putting in 3 years' service as such, should automatically be given the pay scale of semi-skilled category. In other words, the demand is that for the same nature of work the person should be paid at a higher rate. According to this what will happen is that whereas an unskilled workers, who has less than 3 years service as such, will be paid at lower rate compared to another worker doing the same job who has put in more than 3 years service. This will go against the principle of equal pay for equal work which has been quoted by the opposite party in support of their case, especially relating the judgment in D. S. Nakara's case, Dhirender Chamoli's case and Surinder Singh's case etc. In this connection, the management should further submit that even after 3 years the unskilled worker would continue to do the same work and the skill of a job is with reference to the nature of work being performed and not with reference to who is performing it. Even if a workman acquires better skill after putting in a few years of work in a lower scale, he cannot be paid at higher. In other the nature of his work remains the same. In other words, the rate of pay of a post has to be with reference to the nature of work of that post and not with reference to the skill of the incumbent of the post.

(iii) The Minimum Wages Act has nothing to do with the pay scales of the workers in Government employment. The cases which have been quoted in their rejoinder by the opposite party relate to the workmen pertaining to 'B' Division, 'F' Division and Parliament Works Division. All these cases relate to daily rated workers and not to the workers in the Work Charged/Regular Classified Establishment who are paid on a monthly basis and who are entitled to all other benefits like leave, pension, gratuity, provident fund, medical facilities etc. Therefore, any comparison or conclusion that might be sought to be arrived at on the basis of these will not be relevant and will be fallacious. Under the Minimum Wages Act, notification are issued by the Central Government (Ministry of Labour) and various State Governments/Union Territory Administrations, laying down the Minimum rate of daily wages that should be paid to different categories of daily workers employed for performing different kinds of jobs. In these notifications, it has been observed, for the same kind of job, different skills have been specified, for example, there are masons of different grade,, categorised as semi-skilled, skilled, and highly skilled. Similarly, Carpenters, Wireman, Electricians etc. etc. Therefore, just because a person is performing the job of a Mason will not mean that the nature of his job is semi-skilled. In any case, the emoluments paid by the management to the workers in the Workcharged Establishment/Regular Classified Establishment are much more than those notified under the Minimum Wages Act.

(iv) Central P.W.D. Administration made a submission that Shri Prasad submitted that both the parties have agreed for the adjudication for arbitration jointly w.e.f. 1st January, 1973 and whole issues are pending before the Arbitrators, and the additional points raised by the management are not proper and justified.

5. The Arbitrators in its meeting on 7th May, 1987 examined statements of claims and rejoinders and submissions of both the parties on 30th April, 1987 and after long deliberations decided to frame issues as under :

(i) Whether there is a need for re-categorisation and re-classification of workcharged staff ?

(ii) Whether there is a need for re-categorisation and re-classification of regular classified establishment ?

(iii) What should be relief and from what date ?

(iv) If not, what relief ?

(iv) Waat are advances in technology and therefore skills required? What was period for a technological improvement ?

(vi) Whether workmen are entitled to higher categories/scales after they put in certain period of service on the job if the job remains the same ? What should be the period of service ?

(vii) By dint of putting certain number of service for certain number of periods, does it improve skills and if so, does it benefit the employer ?

(viii) Is reference contained in the Ministry of Labour Notification No. L-42013/1/86-D.II(B) dated 31st October, 1986 maintainable ?

Whether there are promotional avenues open to WC/Regular Classified Establishment workers, if there is any need to improve ?

5:1 The Arbitrators met as scheduled on 14th May, 1987 in the office of Chief Engineer, Western Zone, Bombay, Committee Room and directed Shri T. S. Vaidanjan to lead evidence on behalf of CPWD Administration. The witnesses produced by the CPWD Administration are described for convenience hereinafter in the entire proceedings as "MW-I, II" and so on, while he witnesses produced by the union were described as "UW I, II" and so on.

5:2 Firstly the management produced Shri V. N. Nikam, Asstt. Wireman (MW-I) who deposed that the Asstt. Wireman and Wireman are employed at Hyderabad Estate enquiry and both perform the same work. Shri Nikam further deposed that even works like opening of motor starter are being handled by him as Asstt. Wireman so far and on any occasion he had taken the help of wireman or J.E. No wireman in the enquiry supervised the work of Assistant Wireman deposed Shri Nikam. He also produced complaint diary before the management representative which contained work for the replacement of fuses, holders, switches, etc.

5:3 In cross-examination by Shri B. K. Prasad, Shri Nikam confirmed that he had been performing duty of Asstt. Wireman independently without any supervision as fa as wok of opening plants and execution of tasks were concerned. He further confirmed that the wireman does not supervise the work of Asstt. Wireman. He agreed that Asstt. Wireman performed his duty with intricacies independently. Shri Nikam also confirmed that J.E. does not come in the picture as far as performing duty of wireman are concerned.

MW-2

5:4 Secondly Shri Meyal, Wireman was management's MW No. 2. Shri Meyal deposed that after recruitment as khalasi in 1959, he was promoted as Asstt. Wireman in 1961 and was promoted as Wireman about 13 years back. Shri Meyal further deposed that the work of Asstt. Wireman and Wireman is same though the wages between Asstt. Wireman and Wireman are different. The J.E. allots the work to them and also arranges the material. He further deposed that J.E. does not have the knowledge of the work and in fact they teach him. Shri Meyal confirmed that Shri Nikam and he himself do the same work and he did not supervise or checked the work of Shri Nikam.

In cross-examination by Shri B. K. Prasad, Shri Meyal confirmed that the duties of Asstt. Wireman and Wireman were inter-changeable and J.E. does not supervise the work.

MW-3

5:5 Thirdly Shri Naziruddin, J.E. was produced as MW-3. Shri Naziruddin deposed that the work of wireman and Asstt. Wireman was same. Normally the difficult work was given to wireman, in case the wireman was not available, then Asstt. Wireman was given that work. Shri Naziruddin further deposed that in the second shift wireman and Asstt. Wireman wherever is available is given the shift duty. Shri Naziruddin also deposed that he possessed supervisory licence though it was not nevessary for J.E. to possess the same. He further deposed that shift duty is normally assigned to Asstt. Wireman and wireman is normally there in general shift. But situation does arise when it is not possible to assign the general shift to Asstt. Wireman. Shri Naziruddin also deposed that Asstt. Wireman and Wireman had the same licence.

In cross examination by Shri Prasad, Shri Naziruddin agreed that the duties of Asstt. Wireman and Wireman are inter-changeable. Shri Naziruddin further agreed that there was same licence for the post of Asstt. Wireman and Wireman. Shri Naziruddin further agreed that Asstt. Wireman also attended the work connected with main-switch etc. Shri Naziruddin also agreed that execution of tasks/complaints marked to Asstt. Wireman are performed independentally by them in the same way as Wireman performs his duty for attending to these works and no supervision was required.

MW-3(b)

5.6 Shri Narain Laxman Matkar, Plumber, MW-3(b) deposed on behalf of CPWD Admn. Shri Matkar deposed that he was appointed as Beldar in 1971 and was promoted as Asstt. Plumber in 1973. Shri Matkar was reported to have become plumber in the year 1979. Shri Matkar further deposed that he was doing plumbing work both new as well as maintenance work. Shri Matkar further deposed that when he was Att. Plumber, he was doing the same work as presently, he is doing as plumber. However, according to Shri Matkar, there was difference of pay between Asstt. Plumber and Plumber. It was further deposed by Shri Matkar that J.E. does not give them any instructions and they work independentally. Generally nobody checked up their work except check is done once in three or four days. The J.E. or Mate gives them the work and the quality of work is supervised by Shri Matkar. However, the quality of the work done is verified by Mate or the J.E. J.E. also does the same work as Mate. It took Shri Matkar two years to get acquainted with the tools as Plumber. No licence or certificate was required for him to work as Plumber. Only trade test was carried out to determine his proficiency in the trade. He deposed that he was also doing the work if replacement of wash-basins and this can be considered as as original work (new work) and that he had worked with contractor for doing the plumbing work.

Shri B. K. Prasad was afforded opportunity to cross examine the management witness he declined to do so.

MW-4

5.7 Shri Vardarajan on behalf of the CPWD Admn. produced Shri A. C. Panchdhari, Chief Engineer, Western Zone, CPWD as MW 4, before the Arbitrators. Shri Panchdhari deposed that type of work carried out in CPWD by khalasis. Beldars are of unskilled work as they to exist elsewhere, where mazdoors and khalasis are not supposed to work on intricate jobs for which justifications does not obtain in CPWD. Shri Panchdhari referred to Ministry of Labour Notification dated 29-10-86. Shri Panchdhari deposed further that by doing repetitive work/jobs they (workmen) are classified/categorised. The same job content does not warrant change of skill from unskilled to semi-skilled, semi-skilled to skilled and skilled to highly skilled. Shri Panchdhari further deposed that even if requisite qualification exist that the workmen in re-categorisation can be done unless the post is available. Shri Panchdhari deposed that working on the job for a number of years, workmen were compensated by periodical increments annually and jump in the emoluments by giving a higher scale he did not agree. Shri Panchdhari deposed that qualifications, duties and job description in CPWD are more or less commensurate and time required updating when new skills might have to be brought out with the new technology changes. In so far as maintenance in CPWD, no great technology changes/advances have been brought about for the last 35 years. Hence categorisation was more or less correct as it was depicted and there was need for categorisation. Recruitment rules also provide for direct entry at appropriate level in accordance with the qualifications and where the services rendered by a person in the lower category of skill. Shri Panchdhari deposed that labourers with lower grade of skill have not been supposed to do job which required higher grade of skill. However, he agreed in isolate instances of such persons doing job of higher skill being in the lower grade of pay scale. Shri Panchdhari deposed that job description of work carried out by lower category is also included in the job description of higher category and he agreed that this did not preclude the possibility of Asstt. Mason doing the Mason job through person to person basis. Shri Panchdhari deposed that life operators carry out the operations without understanding technique of functioning of lifts and in the event of malfunctioning, the same was being reported to supervisor/J.E. He deposed that there was no different between slow, medium and high speed lifts from operational angle. All these lifts required operations of same mechanical device and controls and there was no skill required for such operations said Shri Panchdhari.

In reply to the clarification by the Arbitrators Shri Panchdhari said that no skill was required for opeation of high speed lift.

Shi Panchdhari deposed that the post of Sweeper is rightly categorised as unskilled and it cannot be categorised as semi-skilled unless Sweeper utilises mechanical devices.

On clarification by the Arbitrators, Shri Panchdhari replied that recently for computer installation a large number of vaccum clearers were purchased. Operation of these vaccum cleaners in computer room would definitely require skill, the responsibility of which could not be given to Sweeper sweeping with broom. Shri Panchdhari replying to clarifications by the Arbitrators further deposed that sweeping with wet cloth require higher degree of skill than the dry sweeping. Shri Panchdhari further deposed that wet and dry sweeping require some amount of skill.

In cross examination by Shri Prasad, Shri Panchdhari replied that CPWD Manual Part. III is promulgated under orders of Director General and question of any other officer not abiding by the said manual did not arise. Shri Panchdhari further agreed that CPWD is part of building and construction industry to the extent noified. Shri Panchdhari agreed that explanation No. 5(b) in the Ministry of Labour notification dated 29th October, 1986 being legal notification, the question of disagreement does not arise. Shri Panchdhari agreed that unless the worker had been given specific responsibility of training the unskilled workers, increased scale cannot be granted and there would be less workers in the category being under Mason, Carpenter, Plumber who are entitled for helper from amongst unskilled workers. Shri Panchdhari did not agree with the suggestion that any peson with two years experience in lower post picks up skill of higher post. There might have some example if a person though possessing heavy driving licence

might have joined as cleaner with the hope to appear in the trade test as and when opportunity arises. The Arbitrators disallowed the question to Shri Panchdhari will you please confirm that Department of Personnel and Training have issued orders not to resort to direct recruitment at the level of Class-III and Class IV posts on the recommendations of Third Pay Commission. In reply to the question that work-charged and regular classified categories in each group except Asstt. Category in civil and Foreman (Elect.) there is direct recruitment ranging from 25 per cent to 50 per cent, Shri Panchdhari deposed that the same has been given in the recruitment rules. Shri Panchdhari agreed with the suggestion that there is possibility of reducing clerical nature of job like noting of complaints and making it to different workmen by deputing work order system as also agreed that there are categories in various units of CPWD all over India like Valveman, Enquiry Clerk, Time Keeper, Store Keeper, Building Jamadar, Work Asstt., work of which is being done in case of first two by Beldars and others by J.Es. Shri Panchdhari replied that Valveman as per Minimum Wages Act is unskilled category and Enquiry Clerks have been provided wherever workload so demands, Shri Panchdhari did agree with the suggestion that Asstt. and full categories in CPWD do the same work. Shri Panchdhari gave evasive reply to the suggestion that there was need to create higher posts comparable to foreman in the civil side. Shri Panchdhari agreed with the suggestion that there is acute stagnation in the services and for creation of master craftsman, it was necessary that there should be change in the outlook of post management and workmen so that necessary tasks requiring master craftsman are created by management.

Shri Pandhdhari agreed with the suggestion that Wireman of respective trades work independentally and take decision in the execution of tasks without any advice, supervision in the maintenance side to the extent that workmen of trades which are of skilled category can work on their own, rest required guidance. Shri Panchdhari agreed with the suggestion that in the event of qualifying examination after the training to the workmen and updating their technological skill according to needs, there would be no necessity of trade test.

MW-5

5.8 MW-5. The management introduced Shri N. Krishnamurthy, Chief Engineer (Elect.), SWZ, Bombay, who deposed before the Arbitrators that a person recruited as unskilled during period of three years acquires some skill in the type of job and becomes eligible for semi-skilled pay scale should be included in the scope of work to be done by the person be granted semi-skilled pay scale after a fixed number of three years. Shri N. Krishnamurthy further deposed that advancement from semi-skilled always should be based on higher qualifications|training obtained by the concerned worker in addition to assessment of his skill by way of trade test. Shri Krishnamurthy categorically deposed that automatic giving pay scale of semi-skilled after three years to an unskilled workman shall act as dis-incentive to the worker who obtained higher skills by adding to his qualification.

In reply to Arbitrator's clarification that would it mean that equal pay for equal work would not apply in this case ? Shri N. Krishnamurthy deposed that it does not apply in this case also because he had already clarified some semi-skilled nature of work like operation of pumps, lifts etc. should be entrusted to the persons concerned as and when necessary. Shri N. Krishnamurthy felt that the responsibility now being thrown ot semi-skilled categories may be got done by unskilled person after three years of experience if automatically given pay scale of semi-skilled after three years of service in the unskilled category. Shri Krishnamurthy further deposed that qualifications in the scale etc. should be in the form of Grade-I, II, Grade II having high skilled scale. Their qualifications would have to be suitably amended for which proposal, if required, can be given separately. In reply to the question that no trade test was called for, for considering the unskilled workers with three years experience to be considered for a semi-skilled work. Shri N. Krishnamurthy replied that no trade test was required.

MW-6

5.9 MW-6. The management introduced Shri J. K. Bhatte, Supdg. Engineer (Civil) for deposition. He deposed that he considered Sewerman as semi-skilled person. In cross examination before Shri B. K. Prasad, Shri J. K. Bhatte deposed that sewerman in the department is told the job to be done and he did not think any supervision is necessary. Shri Bhatte disagreed that duties of Asstt. and full categories were similar and further deposed that duties of Mate categories are more responsible and more arduous in nature.

UW-I

On behalf of the workman of CPWD, Shri B. K. Prasad, General Secretary, CPWD Mazdoor Union produced before the Arbitrators Shri Kalicharan Balmiki. Sewerman as UW-I, who deposed that he had been working as Sewerman for the last 16 years and in Ghatkopar where 462 quarters are situated, he was the only sewerman. Most of the work pertains to chokegas at Ghatkopar some of booths are as deep as six feet. His hands have also got injured due to performance of duties of sewerman. He had been employed in the scale of Rs. 196—232. Shri Kalicharan deposed that work of sewerman exists in the atmosphere where gas is formed and this affected his health. In Cross examination by Shri Vardarajan, Shri Kalicharan deposed that hand gloves had not been issued by the department and his hands were injured and become sceptice to rodding with bamboo sticks wires etc. into the sewerline and therefore, his hands got injured very frequently.

Replying clarifications by the Arbitrators, Shri Kalicharan deposed that the work of sewerman cannot be done by ordinary mazdoor and it needs special skill and technical knowledge and also sewerman should known different lines system in the area, then only the work can be done. He has acquired this skill and technical knowledge by working in private Navjivan Housing Society and at hostel on muster roll in CPWD and good number of years as workcharged in CPWD.

UW-2

5.10 Shri B. K. Prasad produced Mr. M. T. Parabh, Plumber as UW-2. Shri Parabh deposed that he was recruited as Beldar in 1953 and got promoted as Asstt. Plumber in 1980 and further promoted as Plumber in 1985. Shri Parabh further deposed that he had been working both as Asstt. Plumber and Plumber and there is no difference between skill of Asstt. category and the main category though the pay scales are different.

The Arbitrators afforded opportunity to the management of cross examination of witness who opted not to cross examine the witness.

UW-3

5.11 Shri B. K. Prasad then produced Shri Appi K. Nayar, Beldar as UW-3. Shri Nayar deposed that he was 45 years of age and was recruited as Beldar in 1969 and had been working as Valveman from 1971 though getting pay scale of Rs. 196—232. In Koliwara five Beldars were working as Valveman and every person is operating eight valves. Without training it was not possible to open or close the valves because some valves are to be operated clockwise and other to be anti-clockwise for opening. Most of the valves Shri Nayar had to control were of 3 inch and 6 inch. In cross examination by Shri T. S. Vardarajan, Shri Nayar did not agree that ordinary mazdoor could perform the duties of valveman. Shri Nayar further deposed that skill is required alongwith knowledge of different lines then only due to valveman can be performed.

UW-4

5.12 Shri B. K. Prasad produced Shri Bipinchandra Saligram Pawar. Beldar, as UW-4. Shri Pawar deposed that he was 26 years of age and had been working as Beldar since 1981. And had been doing the work of Valveman. Shri Pawar deposed that Beldar could not do the work of Valveman. The performance of duties of valveman required trained work and manual too. He was controlling 7 valves.

In cross examination by Shri T. S. Vardarajan, Shri Pawar deposed that he opens valves with the key after knowing the quantity of waterpump by the pump operator. Deposed further that he opens the first valve after the second valve and so on which are to be placed and after an hour or so, closed the valves oneafter the other. The biggest valve he operated in the sector was 6 inch though there were valves 8 inch and 10 inch also. Shri Pawar deposed that he had to operate the valves by applying force and skill and by the feel he could know if the water is flowing. Earlier, A.T.. was writing his designation as Valveman but for the last six months he had been writing as Beldar. There was no overhead tank in the sector that are under his charge and he released water by opening valves.

The Arbitrators visited Calcutta on 2nd and 3rd June, 1987 instead of 3rd and 4th June, 1987 as notified earlier for the sake of convenience expressed informally by the parties to he agreement.

At Calcutta, the CPWD Admn. was represented by Shri B. B. Singh, Dy. Director of Admn. II and workmen by Shri B. K. Prasad.

MW 6(A)

5.13 On behalf of the CPWD Admn., Shri B. B. Singh produced Shri A. Chattopadhyay, SSW, Calcutta as MW-6(A). Shri Chattopadhyay deposed that unskilled workmen by working for a period cannot acquire skill and become entitled for semi-skilled category pay scale automatically. He further deposed that trade test is necessary to determine whether or not unskilled workmen acquired skill for promotion as semi-skilled wokman. In cross examination by Shri B. K. Prasad, Shri Chattopadhyay agreed that Minimum Wages Act are applicable on the employees of CPWD. Shri Chattopadhyay further agreed that explanation of 3(b) in the Ministry of Labour Notification dated 25th April, 1973 S.O. 247(F) is a Government Notification and binding on them (CPWD). Shri Chattopadhyay agreed that chowkidars in CPWD are working as night watchman. In reply to clarification by the Arbitrators that there was a difference between the chowkidar and night guard, Shri Chattopadhyay agreed that there was difference and in CPWD there are chowkidars only. Shri Chattopadhyay further agreed with the suggestion that CPWD buildings and Stores during night are guarded by chowkidars.

MW-7

5.14 Shri B. B. Singh on behalf of CPWD Admn. produced Shri A. K. Mukherjee, S.E. CCC No. 2 as MW-7 who deposed before the Arbitrators that the categorisation of Asstt. Categories in CPWD as semi-skilled and full categories as skilled is on the basis of job requirement and the same proper. Shri Mukherjee further deposed that Asstt. Category generally help skilled categories and attend to minor nature of work whereas skilled categories perform complex nature of work and functions independentally. Shri Mukherjee deposed before the Arbitrators that promotion to full categories are normally done by 50% by promotion and 50% by direct recruitment and provisions did exist for asstt. category who satisfy promotion criteria and consider for promotion for full categories.

In cross examination by Shri B. K. Prasad, General Secretary, CPWD Mazdoor Union, Shri Mukherjee deposed that in the civil side the scope of shift duty change is very limited In reply to the suggestion that some duties being performed by Asstt. category and full categories, Shri Mukherjee deposed that although in discharging the duties, the full category also perform the duties of Asstt. Category but definitely their skill is not the same. Moreover, the full category is promotional from asstt. category. Shri Mukherjee did not agree that Asstt. categories are attending complaints and executing the tasks without any supervision. In reply to clarification by the Arbitrators, Shri Mukherjee deposed that the nature of work is different for example in water supply when water connection by long screw etc. are required to be provided, it would be difficult for Asstt. category to undertake such works.

MW-8

5.15 Shri T. Krishnamurthy, Chief Engineer (E), CPWD was produced as MW-8.

In cross examination Shri Krishnamurthy did not agree to the suggestion that Asstt. wireman and wireman have the same licence and practically do the same work. On the suggestion of Shri B. K. Prasad in cross examination Shri Krishnamurthy agreed that assistant category having independent charge in the shift did not get equal pay for equal work by working independentally. Shri Krishnamurthy replied in the affirmative that explanation No. 3(b) in the Gazette Notification dated 25th April, 1973 S.O. 247(E) being notification of Ministry of Labour, disagreement does not arise.

MW-9

5.16 Shri B. B. Singh, on behalf of CPWD Admn. produced Shri S. M. Prasad, S.E. CCEC-I, CPWD, Calcutta as MW-9. In cross examination Shri Prasad agreed with the suggestion that Asstt. Wireman, Wireman, Pump Operator and Asstt. Pump Operator are inter-changeable in shift duties. Shri Prasad agreed to a suggestion that three years experience of unskilled workmen under the supervision of skilled/highly skilled workmen develop some kind of skill and is beneficial in the discharge of CPWD work. Shri Prasad disagreed with the suggestion that Minimum Wages Act, 1948 is applicable on the workcharge/regular classified establishments.

After closing the management evidence, Shri B. K. Prasad, introduced union witnesses. Shri Bhagirath Panja Chowkidar as UW-1 deposed that right from the initial appointment since October, 1973, he was performing night duty from 5 p.m. to 10 a.m. in the morning and guarding building of Division No. 1, Shri Panja deposed that in 1986 the duty was change from 6.00 p.m. to 9.30 a.m. During night duty, Shri Panja deposed that has to guard whole building of the establishment for which he remained vigilant throughout the night. There was no promotional avenue for chowkidar, as they are recruited in the same category and retire thereon Shri Panja further deposed that relatively while working during night there was more fatique and had also adverse affect on account of his continuous vigilant duty guarding cash chest, establishment and other properties of establishment. In cross examination by Shri B. B. Singh he did not agree with the suggestion that for fear of checking he got alert himself, the facts were otherwise. Shri Panja replied that he knew the duties of night guard assigned to him and on account of duty fullness he remained alert and vigilant and one cannot shirk his duty in the night guarding chest etc.

UW-6

5.17 Shri B. K. Prasad introduced Shri Shinath Bose, Beldar, CCD-IV, Calcutta as UW-6. Shri Bose deposed that he was recruited as Beldar in July, 1971 and working with Plumber and in his absence had discharged his duties too He further deposed that he has discharged his duties of Valveman also and worked as Beldar with Carpenter and Mason and in their absence discharged their duties also. Shri Bose did not get remuneration whenever he discharged higher responsibilities that of Mason, Plumber or Valveman. In reply to clarification sought by the Arbitrators whether he was called upon to work on the post of Mason Carpenter and Plumber whole day. Shri Bose stated that he did not get any different of wages. In cross examination by Shri B. B. Singh, representative of CPWD Admn. Shri Bose deposed that he attended the works of plumber by obtaining implements either from another enquiry or from other sources. Similarly he got equipments for mason job as and when required. Shri Bose in cross examination deposed that he repaired balcony railings in the absence of mason.

UW-7

5.18 Shri B. K. Prasad, produced Mohd. Azimuddin, Beldar, CCD-I as UW-7. Shri Azimuddin deposed that he was recruited as Khalasi in the year 1957 and was posted in the laboratory from January, 1973. He has been testing the cube by operating machines-cube testing, brick testing he operated machines by hand and read the readings and that there has not been existing laboratory assistant operator and he performed the work of laboratory assistant/operator. Shri Azimuddin deposed that there was none in the laboratory excepting him and the I.E. He deposed that he was not getting higher pay but getting only beldar's pay. Shri Azimuddin further deposed that in the National Testing House, the salary of operator at the initial stage is Rs. 260—310 for similar job in the old pay scale Shri Azimuddin submitted before the Arbitrators that his bosses i.e. SSW/IE and other officials had already approached higher authorities for giving senior scale that of operator. In cross examination by Shri B. B. Singh, Shri Azimuddin deposed that

having necessary skill and experience of operator as he has been performing this duty since January, 1973. Shri Azimuddin confirmed that he operate the machine, [illegible] bricks/cube put it on the machine and operate the machine and tell the reading to the J.E. In reply to another question Shri Azimuddin told that he has studied upto 8th class and can read scale in English. Shri Azimuddin further replied that right from the date of the machines were procured, there was no operate and from January, 1973 he was performing the duties attached to the said machines. Though the duties of beldar in the laboratory is lifting the cube and cleaning of machine but he was operating the machine from the date of his appointment in the laboratory from January, 1973 and he was aware who was performing the duty of beldar.

5.19 Shri B. K. Prasad produced Shri Ranjit Kumar Pal, Asstt. Armature Winder as UW-8. Shri Pal deposed that he was appointed as Asstt. Armature Winder in the year 1958 and is in CCED-I since 1969 and he possesses the wireman licence since July, 1971 and the department was also intimated of the same. Shri Pal confirmed that he was possessing Cab. B, licence only for working on bottom and conduit wiring in domestic houses and even after intimation of this licence to the department they had put him on the duty of wireman. He was getting pay scale of Asstt. Armature Winder even when he was performing the duties of wireman whose pay scale is Rs. 260—400 (Old). Shri Pal stated that he was transferred in June, 1976 in place of the post of Wireman.

In cross examination by Shri B. B. Singh, Shri Pal submitted that no written orders were given to him to work as Wireman. Shri Pal further deposed that at Narkal Denga he was transferred in place of wireman and that formerly in the Indian Museum also he was posted against the post of wireman who retired. To another question Shri Pal deposed that he was declared surplus and after a week that order was withdrawn and he was forced to perform the duty of wireman and he was not paid difference of wages. Shri Pal replied that he could not refuse the orders of superiors and carried out the job of wireman and requested for the pay of wireman to the superior authorities but of no avail.

5.20 On behalf of the workmen Shri B. K. Prasad introduced Shri R. K. Dutta, Jr. Engineer (Elect) UW-9 before the Arbitrators.

In deposition Shri Dutta agreed that the duties of assistant and full categories were same but there was discrimination in their pay scale. He submitted that having 23 years of service as J.E. (E), major portion pertaining to maintenance was looked after by him. He had been engaging asstt. categories and full categories the duties of which are interchangeable and the type of work given to them were also same and similar. There has not been any difference on job contents. Shri Dutta produced office Order No. 10(7)/DP/RP/87/CCEC-II/649 dated 20-3-87, 10(7)/DP/RC|86| CCEC-I/1811 dated 19-8-86 and even file No. 1887 dated 26-8-86, 19(7)/DP/RC/86/CCEC-II/657 dated 24-3-86 and No. 10(7)/DP/RC/86/CCES-II/1621 dated 28-7-86 and Office Order No. 10(9)/86/CCEC-II/1453 dated 4-7-86, 10(7)/DP/RC/84/CCEC-II/2071 dated 18-8-84, 19(9)/86/CCEC-II/1455-1458 dated 4-7-86 and promotion order No. 10(7)/DP/RC/85/CCEC-II/2200 dated 9-9-85 issued by Suptd Engineer Calcutta Central Electrical Circle-II, CPWD, Calcutta which clearly confirm that asstt. operators and operators, Asstt. Wireman and Wireman have been interchanged in posting. In reply to clarification sought by the Arbitrators Shri Dutta deposed that operation of 30 Horse Power machine motor as well as 1 horse power motor involves same technicality and labour and he categorically submitted that in Eastern region the socalled order of deploying asstt. operator on the basis of horse power type of engine does not find scope in implementation and similarly Asstt. Wireman and Wireman are also put on the same job, only difference is that assistant category are not given equal remuneration that of full category. Shri Dutta further agreed with the suggestion that an unskilled labour having experience of 3 years working under supervision of skilled/highly skilled develops some kind of skill which is beneficial to discharge CPWD work efficiently. He further voluntarily stated that unskilled labour after experience of 3 years is able to look after and manage day-to-day work of higher responsibility. He further deposed that full category as well as semi-skilled categories notes the complaints and take materials from Jr. Engineers and attended the complaints and executed the task allotted to them independentaly without any supervision. Shri Dutta also deposed that in the event of intensive training imparted to the workman and upto date their technicality, skill according to needs there would not be any necessity of trade test for promotion to higher grade. In cross examination by Shri B. B. Singh, DDA-II, Shri Dutta did not agree with the suggestion that duties and responsibilities of assistants and full categories are different and they are not entitled to same pay scale. Shri Dutta further volunteered that Asstt. Wireman and Wireman have the same licences and similar is the case of APOs, POs, Asstt Plumbers and Plumbers.

Shri Dutta further replied to the question of Shri B. B. Singh explained that when an unskilled worker developed his knowledge and experience from the work site everybody experience accelerated the work and experience of unskilled worker is also used to discharge the duties of semi-skilled some skilled also, thereby departmtnt is only benefited but also maintaining its reputation so far services are concerned. In reply to clarification by the Arbitrators, Shri Dutta submitted that workman discharges duties independently only after the work done if necessary sometime to work is being checked by Jr. Engineer and Asstt. Engineer, only for the purpose of verification of material being used for the work.

5.21 Shri B. K. Prasad introduced Shri Kakati Kanta Sen Gupta, UW-10. Shri Sen Gupta deposed that he was initially recruited as Store Clerk in the year 1947 and from 1951 he has been working as Work Mistry (Electrical). He further deposed that duties and function of Work Mistry (E) and Work Asstt. in Civil are the same, but he was being discriminated in the pay and allowances as Work Asstt. Old pay scale was Rs 330—480 new pay scale is Rs. 1200—1800 whereas his old pay scale (Shri Sen Gupta) was Rs. 260—430 and new scale is Rs. 1100—1550. On cross examination by Shri B. B. Singh, DDA-II, Shri Sen Gupta deposed that the pay scale of Rs. 260—430 given to him was of skilled category whereas he was entitled to pay scale of highly skilled category as his nature of work and duties are equivalent to Work Asstt who is getting the pay scale of Rs. 330—480.

The evidence were closed by Shri B. K. Prasad representing the workman.

6. The Arbitrators fixed on 2nd July 87 a date of hearing on which date the Management did not turn up but asked for adjournment. The Arbitrators held subsequent meetings on various dates viz 7-7-87, 15-7-87, 24-7-87 14-8-87 21-8-87, 4-9-87 (declared holiday) 15-9-87, 21-9-87, 7-10-87, 8 10 87, 16-10-87 on all these dates of meetings, CPWD Administration sought adjournments. With a view to dispense natural justice the adjournment were granted to CPWD Admn. by the Arbitrators despite bitter opposition by the representative of the workmen.

6.1 The Arbitrators met as scheduled on 19-10-87 on which date also oral request/telephonically from Shri B. B. Singh, representative of CPWD Administration, for adjournment was received. Shri B. K. Prasad, General Secretary CPWD Mazdoor Union, representative of workmen bitterly opposed the adjournment and emphatically submitted that the Management of CPWD is indulging in mis-using the process of Law by wilfully delaying the proceeding of the Arbitration and the way about 11 adjournment have been granted, it would not be possible for the arbitrators to submit the award by 30th October, 87. Shri Prasad also submitted that the management of CPWD is taking arbitration on ride and it is the reason that for adjournment even the normal courts of written petition are also not followed which should be seriously taken note of. The adjournment if granted hereinafter shall go against the interest of workmen.

6.2 Arbitrators considered the oral request of the management for adjournment in the light of submissions of the workmen and decided to reject adjournment. Arbitrators then proceeded further in the matter and Shri Prasad was given opportunity to put forth his case who lead oral arguments on behalf of the workmen which are as under.

7. Shri Prasad submitted that all the categories as well as additions pending before this Board of Arbitration which are falling under schedule employment of Minimum Wages Act 1948 and referred the Gazette of India issued on April, 1973, December, 78, October, 1983 and October 86. issued by the Ministry of Labour under Minimum Wages Act 1948. Shri Prasad emphasised that since all the employments commonly known as "WC Categories" and Regular Classified "Categories", the claim of re-categorisation and revision of pay scales is to be adjudicated upon by the Arbitrators and shall decide "The categorisation". "The Status" in context of definition given as per Minimum Wages Act 1948 and Notification of Ministry of Labour issued under the Act. Shri Prasad's argument is that an employee holding a post can be categorised as unskilled if he performs same job throughout and does not require any skill at all in the performance of his duties so as to say that good physique and mental balance is only required by such an employee incumbent of a post in different wings of CPWD which according to Shri Prasad is not the case of any incumbent of the post in CPWD as efficient discharge of the work even by the employees categorcised as unskilled needs some kind of skill, knowledge of tools, sense of understanding needs of the tools required by the skilled/highly skilled workmen with whom employee is attached, type of work being expected to be performed requires some knowledge of the organisation, tools, tasks and kind of skill then only the duties can be accomplished in CPWD. Unlike stone breaking, lifting of bricks, carrying of baggage etc. being usually performed by unskilled labour in building construction industry as well as in other Central/States Establishments. It is in this context that after putting up 3 years' service the workman have demanded a promotion in the next higher grade. Shri Prasad disputed the pleadings of the CPWD Management that an employee remains unskilled even after putting up of 3 years' service in CPWD and performing his duties in CPWD and categorically emphastsed that in CPWD duties cannot be performed even under the supervision of skilled or highly skilled employee if the employee has not acquired some skill and knowledge of tools etc. which employee holding the post cannot be categorised as unskilled. In support of this Shri Prasad referred to the deposition of Management Witness No. 1, 5 and 8, Union Witness No. 3 and 4, Cross examination of Management's witness 6(a). Shri Prasad concluded his argument on first point that the employees in different wings of CPWD in the pay scale of Rs. 196—242 on 1-1-73 have acquired knowledge of tools, the work of CPWD and also acquired some knowledge of skill beneficial to the Department and computable to be equivalent to semi-skill and according to definition in point 3(b) of the Ministry of Labour Notification should be given the statuts of semi-skilled after putting 3 years of service from 1-1-73 onwards.

7.1 Shri Prasad dealt with second point that of categorisation of employees in semi-skilled and skilled categories who have been given the status of highly skilled workmen from 1-1-73. Shri Prasad emphatically submitted that the workman whether categorised as semi skilled or skilled in CPWD are actually asked to work independently and execute the task enjoined to them without any continuous supervision and in performance of duties also they are to take judicious decisions which inter-alia makes it crystal clear that they fall in the highly skilled category. Shri Prasad further submitted that their shifts in CPWD and the duties of the workmen employed are interchangeable so as to say that in a shift Asstt. category has to work independently and in the second shift full category shall be working independently and in the 3rd shift again Asstt. category shall be discharging/executing tasks independently alongwith taking decisions in the execution of task thereon. Even in General shifts the Asstt. category as well as full category are given the work and the execution of the task performed independently alongwith judicious decisions which are to be taken thereon According to Prasad the pleadings of the CPWD Admn. that there are different nature of duties and qualifications of Asstt. category and full category does not hold water in the light of Management's witness No. 1, 2, 3 and Union witnesses at Bombay as well as at Calcutta Shri Prasad further submitted that what the categorisation committees of CPWD on occasions had done was actually creation of two halves between the same entitlement and such ill affort of the CPWD Administration does not stand the test of law in numerous judgments of the Hon'ble Supreme Court of India. On the doctrine of equal pay for equal work in case of draftsman, in case of Randhir Singh Vs. Union of India and P. K. Ramachandran Vs. Union of India, Shri Surender Singh and others V/S Engineer-in-Chief CPWD etc. etc. Shri Prasad further submitted that equal pay for equal work doctrine apply on the employees performing same work or work of similar nature as enuciated by Hon'ble Supreme Court reported in 1987 LAB I.C. 961 Shri Prasad submitted that question before Arbitrators is to determine and decide (a) whether or not Asstt. category or full category are performing same and simila duties (b) Whether Asstt. category and full category in CPWD in shift duties or general duties are taking judicial decisions in performing their duties independently and without any continuous supervision executing the task or not. Shri Prasad further submitted that categorisation nad status of skilled category as per CPWD Manual III was considered by authorities under Minimum Wages Act in Minimum wages cases of Shri Ravinder Pal Singh, Motor Lorry Driver, of Mechanical Workshop Division, CPWD and Shri Vijay Pal Singh and others of F Division ,CPWD in which cases authority under Minimum Wages Act 1948 held that categorisation of Plumber, Carpenter, Mason, MLD as skilled workmen was violation of Minimum Wages Act 1948 and the authority ordered payment of highly skilled rates to all the employees who submitted claim before the authority. Against the decision of both the cases of RLC (Central), Kanpur, the CPWD Administration went for an appeal before the Delhi High Court where the appeal was dismissed because Delhi High Court did not agree with the categoriation of such workmen and treated them as highly skilled. Both the decisions have already been submitted by the workmen with the list of documents. Shri Prasad further submitted that the claim of workmen about possession of same licence by Asstt. Wireman and wireman not only is substantiated by evidnce of the workman and the management but evidently clear from the qualification as mentioned in the CPWD Manual II of both the categories. Similarly in numerous Minimum Wages Claims applications the employees filed Minimum Wages Claim applications working as black smith. painter etc. were also granted, highly skilled status by the Minimum Wages authority, Kanpur as per Act.

7.2 Shri Prasad concluded argument on this point by referring Management Witnesses No. 1, 2, 3, 5, 6 and all the Union Witnesses of Asstt. Category and full category and that of Union witness No. 9 which evidence record Shri Prasad admittedly prove the claim of the workmen that Asstt. category and full category are performing same and similar duties and all are working independently taking judicious decisions in the execution of task without any supervision at all Shri Prasad categorically submitted that there is no workmen between Asstt. category/full category Jr. Engineers working independently as the Junior Engineer whose job is that of procurement and issue of stores and discussion with tenant department and residential welfare association is not a workman and so the workmen categorised as semi-skilled in the Asstt. category and skilled in the full category from 1-1-73 are entitled to the pay scale of Rs. 330—560 from the same date that of highly skilled workmen except senior Mali as claimed by the workmen in their statement of claim and is also arbitration reference.

7.3 That the incumbent of the category of the posts of Farash and Bhisty having been granted the status of semi-skilled by Ministry of Labour notification under the Act cannot be denied the time scale of that status of semi-skilled on the regular establishment. Shri Prasad further submitted that the type of work being performed by lift Khalasi and sweepers warrants some kind of skill in the performance of their duties and such employees are above un-skilled and therefore they should be re-classified as semi-skilled employees and given the time scale of semi-skilled category. He referrd to para 2.2, 2.3, 2.4, 2.5, 2.9. He also admitted that post of semi-skilled filled in by 100% amongst the unskilled untrained and unskilled trained workmen on the basis of seniority and after 3 years service as semi-skilled as on 1-1-76 or later as the case may be, the semi-skilled workmen having the pay scale of Rs. 240—320 from 1-1-73 be promoted in the pay scale of Rs. 260—350 from 1-1-76 or after completion of 3 years service whichever is later and classifying them as semi skilled trained artisan.

7.4 Shri B. K. Prasad submitted that senior Mali which was inadvertantly included by the Union in item No. 4 be considered as skilled artisan in the skilled category in the pay

scale of Rs. 260—400 from 1-1-73. He further requested that all the categories mentioned in Item No. 3 of the arbitration agreement are to discharge their duties on the basis of skill acquired through longer experience or training from vocational institutes so should be classified as skilled artisan and given pay scale of Rs. 260—400 from 1-1-73. He also requested that post of Head Sweeper, Head Chowkidar, Valveman, Asstt. Cook Bearer, Enquiry Clerk should also be created in each section/sub-division and given pay scale of Rs. 260—400 from 1-1-73 and all the workmen in this pay scale of the category be promoted from semi-skilled untrained and semi-skilled trained artisan on the basis of 100% seniority. He further submitted that all the workmen who have put 3 years of service as on 1-1-76 whichever is later be given the pay scale of Rs. 260—430. In addition to the justification in statement of claim Shri Prasad referred to the evidence of the workmen at Bombay in the category of Sewerman and cross examination of Management witness which fully justify that sewerman should be classified skilled workman as per Minimum-Wages Act 1948 and given not only the status but time scale also retrospectively.

7.5 Paras. 5, 6, 7, 8—All the workman in the respective item do possess higher responsibilities and so entitled to higher pay scale as demanded in the arbitration reference excepting Engineer Supervisor in respect of which category the workman withdraw its demand. Shri Prasad also submitted denial of higher posts in Horticulture and Civil above Choudhary and Work Asstt. respectively is discriminatory and arbitrary and thousands of workmen engaged therein have been denied the post of master craftsmen and highly skilled which should be created and post filled in as per statement of claim in the respective paragraphs.

7.6 Concludingly Shri Prasad emphasised that the pleadings of the Management about non comparison with the Public Sector Undertakings and Municipal Bodies etc. has not even been appreciated by 3rd Central Pay Commission and such methodology and orientation only create big wedge of resentment and avoidable labour unrest on account of heart burning between the same employees performing same and similar duties some mostly under the same roof and the example of International Airports Authority of India, National Airports Authority, National Museum, Railway, Delhi Flood Control etc. cannot be ignored specially because first of these workers have been transferred from CPWD holding all civil posts as the industrial workmen of CPWD.

7.7. Shri B. K. Prasad further submitted that licences presently being insisted upon in CPWD on account of statutory requirement does not hold water because industrial workman engaged on same and similar works in Haryana State Electricity Board, Delhi Electricity Supply Undertaking, National Airport Authority of India are not subjected to possess licences from State Governments despite the facts that those statutory provisions do exist there also. In the event of uptodating technological skill and high degree of safety measures before holding the electrical appliances, the workman of CPWD does not have any objection if the workmen are given intensive training by augmenting training programme in the Departmental Institutes and the Department seek exemption from the Statute becoming electrical Engineers only shall be certifying the acquirement of technological skill for use of electric appliances and use of safety measures by the workmen of CPWD so as to remove the obstruction presently being faced by the workmen as well as Central P.W.D. Administration in filling the posts of Wiremen and electricians throughout the country.

7.8. Shri Prasad also mentioned that in most of the States licensing authorities are not functioning at all on which account the workmen are suffering and discharging higher responsibilities without remuneration as the essential works like of aerodromes, Hospitals and airconditioning plants in VVIPs' areas cannot be left unattended by the dutiful workmen for want of statutory provisions which are only in the books of CPWD Administration and not the practical and he emphasised further that the preliminary licence every electrical staff is possessing when he is appointed as Asstt. Wireman. He also brought to the notice of Arbitrators that engineers who are supposed to advise/guide do not possess any licence. Concludingly Shri Prasad emphatically rejected the pleadings of CPWD Admn. that the claim of the workmen cannot be given from 1-1-73 firstly on the account that the adjudication by this Hon'ble Board of Arbitrators has to be done from 1-1-73 as per arbitration agreement notified on 31-10-86, secondly the claim of the workmen is just genuine and lawful and denial of lawful claim especially on the face of Judgements of Randhir Singh V/s Union of India given by the Hon'ble Supreme Court of India from 1-1-73 in respect of Supreme Court employees that retrospective date in respect of P. K. Ramachandran V/s. ICAR (Union of India) from retrospective date consequent upon confirmation of retrospectivity in case of Shri D. K Nakara and others V s. Union of India and the latest judgement of Shri Surender Singh V/s. Engineer-in-Chief, CPWD not only unjust but against the natural law of justice and shall be violative of article of 39(d), articles 14 and 16 of the Constitution of India.

7.9. Shri Prasad also submitted that Kendriya Lift Karamchari Sangh, All India CPWD Workers Union Calcutta, the later being recognised for Calcutta Area have in writing through a petition to this Hon'ble Board of Arbitrators have authorise the Statement of claim of CPWD Mazdoor Union to be their claim and the claim being just and genuine. He submitted that CPWD Workers Union Shimla registered and recognised Union for Shimla Area and part and parcel of CPWD Mazdoor Union for all India purposes have also accepted the justness and genuinness of the Statements of claim of CPWD Mazdoor Union by way of submitting a petition before this Hon'ble Court and authorised that a claim submitted by CPWD Mazdoor Union in respect of WC/Regular classified category is only claim on behalf of that Union also.

7.10 Shri Prasad further submitted that the Board be pleased to give its verdict with regard to treating all the industrial workers engaged on maintenance of Building construction, roads, and runways as industrial Establishments instead of calling them WC or regular classified just to deny the pensionary benefits, retiring age etc. Shri Prasad also further submitted that the Members of CPWD Mazdoor Union its Managing Committee has incurred huge funds in pursuing recategorisation re-classification of WC Staff/Regular classified Estt. from 1-1-73 on all the forums including Board of arbitration and CPWD Mazdoor Union is generally entitled to the cost which this Board be computed and direct the Management to pay to the Union.

7.11. Shri Prasad presented a resolution of the Managing Committee according to which CPWD Mazdoor Union is also helping widows, chronic patients being on long leave without pay and help in rehabilitation of the dependent of the deceased in addition to the legal and financial help to industrial workmen of CPWD and in this regard requested the Board of Arbitrators to direct the Management for payment of 15 per cent of the amount due in respect of each workman to be deducted from their bills and remit to CPWD Mazdoor Union so that the amount so collected is utilised for welfare measures of all the workmen of CPWD with greater momentum than earlier. Similarly Shri Prasad praved for award for deduction of 5 per cent of the total arrears dues of each workmen from 1-1-73 be remitted to the Prime Minister's Relief Fund for exclusively utilisation to drought and flood relief measures on behalf of the CPWD Workmen.

7.12. Shri Prasad proposed that in the event of arbitrators be pleased to appreciate and award just and genuine claim of the workmen as above w.e.f. 1-1-73 on behalf of the workmen of CPWD Mazdoor Union proposed that 40 per cent of the full gross arrears of each workman be deposited in GPF Account of the respective workman so that CPWD Administration is also not burdened to pay amount in full immediately and to that extent the money can be utilised by the Management for other measures. On clarification by the arbitrators Shri Prasad submitted that amount of money proposed to Prime Minister's Relief Fund as well as to CPWD Mazdoor Union be remitted through Payees Account out of the gross arrears due from 1-1-73 to 31st Oct., 1987 and GPF also on same anology would apply suo-moto.

7.13 Shri Prasad submitted that the workmen claim was supported by following case laws :—

1. FJR-1982 (Vol. 60), page 201.
2. LIC-1986 (Vol. 19), Page 230
3. SCLJ-1950—83, Page 352.
4. LIC-1985 (Vol. 18), Page 1221.
5. LIC-1987 (Vol. 20), Page 234
6. LLJ (Vol. 1) 1986. Page 134.
7. LLJ (Vol. 1) 1986, Page 403.
8. LLC 1985, Page 242.
9. LLJ-1984 (Vol. 1), Page 314.
10. IF&LR-1980 (Vol. 41), Page 195.
11. LLJ-1984 (Vol. II), Page 391.

12. Numerous decisions of Authority under Minimum Wages Act, 1948, Kanpur Area referred to in the list of documents.

13. Decision of Hon'ble High Court of Delhi in Civil Writ Petition No. 399/85 dated 27-5-85 filed by Union of India V/s. Ravinder Pal and Others.

14. Decision of Hon'ble High Court of Delhi in Civil Writ Petition No. 2445 of 1984 dated 16-10-84 in case of Union of India through Executive Engineers, F Division, CPWD, V/s. I. S. Rao and others.

7.14. Lastly Shri Prasad prayed the arbitrators to give its verdict after re-categorisation/re-classification and the revision of pay scales from 1-1-73 (a) for fitment into the pay scales recommended by 4th Central Pay Commission and made applicable to the Industrial Workmen of CPWD from 1-1-86 (b) Award promotion strictly on the basis of seniority from the feeding cadre to higher grades in all the categories (c) Permit merits-cum-seniority Promotion of persons in other categories not being the feeding cadre to be promoted to higher posts if they possess the experience of the trade (d) Award re-transfer of saff on transferred categories on regular Estt. to W.C. and all categories called as industrial Estts. of CPWD (e) Apply Suo-moto the award of this Hon'ble Arbitrators to daily rated employees of CPWD who are undertaken activities and employed in regular nature of works of Maintenance of buildings aerodromes, roads etc. and are practically, factually on monthly muster rolls. As all these points are incidental to the adjudication of the Industrial Dispute of re-classification/ re-categorisation and revision of pay scales of WC Staff/ Regular Classified staff of CPWD before this Hon'ble Arbitration as per provisions of Section 10(iv) of the I.D. Act 1947.

8. The arbitrators closed arguments of the workmen after hearing Shri Prasad at 6.00 P.M. and decided to extend a final last opportunity to the Management of CPWD to enable them to present their case and adjourned the proceedings to 20th Oct., 1987.

9. The Arbitrators met as scheduled on 20th Oct., 1987, wherein the representatives of the Management Shri B. B. Singh submitted that they are very much willing to extend the time limit beyond 30-10-87 and also submitted further that G. K. Khemani who was participant in these proceedings in the past agreed to withdraw his resignation and act as Arbitrator. Shri Prasad submitted that till that moment the management of CPWD not made any request to the Union for extension of time limit. He further submitted that arguments of workmen have already been heard and there might not be any need for extension of time limit. The arbitrators adjourned hearing till 23-10-87.

10. The arbitrators met as scheduled on 23-10-87. Before the Arbitrators Shri B. B. Singh, DDA-II and authorised representative of the CPWD Management and Shri B. K. Prasad General Secretary, CPWD Mazdoor Union presented a joint agreement duly signed by both the parties and two witnesses addressed to the Secretary, Ministry of Labour, Govt. of India, New Delhi extending the period of submission of Award by 1-1/2 months upto 15th December, 1987 (Annexed as Annexure IV).

11 On the request of the representatives of CPWD Management Arbitrators adjourned the hearing to 9-11-87 on which date they have preferred to submit written arguments on behalf of the Management.

12. The Arbitrators met as scheduled on 9th November, 1987 wherein Shri Prasad and others appeared.

13. Shri N. N. Manna reiterated his request for copy of Mazdoor Union claim and management reply so that his Union could also submit his say. Shri B. K. Prasad objected to supply of copies at this late stage as the evidences have been closed, workmen's arguments are over and according to agreement between parties, only Management arguments are to be submitted. Shri N. N. Manna was permitted today to inspect all documents/file of Arbitrators by the Arbitrators on his oral request so as to enable him to file his argument on behalf of his Union. On the request of Shri Manna, time was allowed to file written request on behalf of CPWD Workers Union by 16-11-87 with a simultaneous copy to Management as well as CPWD Mazdoor Union and thereafter the Arbitrators shall decided the matter. CPWD Mazdoor Union/CPWD Management shall file their reply to Workers' Union request on 19-11-87.

14. The Arbitrators granted adjournment to 19-11-87 at 3.00 P.M. on which day the Management of CPWD shall also finally argue their case.

15 The Arbitrators met in its 42nd Meeting on 19-11-87 as scheduled and the petition dated 13-11-87 of Shri N. N. Manna, General Secretary, CPWD Workers Union was taken up for consideration by the Arbitrators.

16 Shri B. K. Prasad party to the arbitration agreement submitted that despite his bitter opposition, the arbitrators on 9th November, 1987 permitted Shri Manna to inspect all the papers pertaining to Board of Arbitrators for more than an hour and Hon'ble Arbitrators also directed Shri Manna to file his say 16th November, 1987 with simultaneous copies each to the Management of CPWD and CPWD Mazdoor Union both parties to the agreement and also directed both the parties to the agreement to file reply to Shri Manna's Petition putting-forth his demands and merits thereon before the Arbitrators. Shri Prasad further reiterated his point that as per joint agreement by both the parties dated 23-10-87 the arbitrators are only to hear the arguments of the Management of CPWD and evidence and arguments of workmen have already closed on 19-10-87 and any deviation/back gear now would only render wrong and improper precedents ever heard in Industrial jurisprudence and dis-service to the arbitrators as time left with them to submit the award to the Central Govt. is only 24 days which is very short period to accomplish even the left over work what to talk of fresh evidence. More than that Shri Prasad further submitted that Shri Manna and his CPWD Workers Union had not responded to the opportunity given to them, they do not have any pleadings so permitting them to even argue their case shall be totally improper uncalled for and unlawful. Shri Prasad lastly emphasised that due notice was received by Shri Manna for filing his claim. He also received Notification dated 31st Oct., 86 direct from Ministry of Labour, due notice was also sent by Hon'ble Arbitrators to him for submission of his claim on behalf of his Union, Notification dated 7th November, 86 under sub-section 3-A Section 10 A of the I.D. Act 47 published in Gazette of India alongwith Notification dated 31st Oct. 86 was widely publicised in all the Establishments of CPWD by Management of CPWD and was also endorsed to all the Union including Union of Shri Manna. The directions of arbitrators about the meetings was also widely publicised by the Management of CPWD but Shri Manna wilfully knowingly opted to keep himself away in addressing Hon'ble Board of Arbitrators and did not submit any claim and through his Union as well as ICM Members representing his Union opposed the arbitration and have been addressing letters in derogatory way to

the arbitrators. It is amusing to note that Shri Manna is demanding statement of claim of CPWD Mazdoor Union and CPWD Management even when he has not filed his own claim which makes it crystal clear that Shri Manna is not interested at all in the arbitration but has appeared at this fag-end only with the ill intention to delay its work.

17. Shri B. B. Singh, DDA-II, submitted that as per directions of the Board of Arbitration, the Arbitration Agreement dated 31-10-86 Notification dated 7th Nov., 86 under Sub-section 3-A of Section 10-A of the I.D. Act, was given wide publicity in all the Establishments of CPWD and copy was also sent to all the recognised Unions. As and when Board of arbitration gave directions for intimation of meetings whether in Delhi or Calcutta or Bombay, the same was given wide publicity and all the recognised Union were invariably endorsed copies. The extension of time upto 30th March, 87 granted by the Board of Arbitrators to file claim of CPWD Management was also given wide publicity throughout the Establishments of CPWD in the country and was also sent to all the recognised Unions. Regarding submission of arguments of the Management Shri Singh reserved his right to speak after the present item is decided by the Arbitrators.

18. Shri N. N. Manna submitted that extension earlier asked by his Union from the Arbitrators was officially received by him only on 25th Jan., 1987 and he got only two days and later on he received a circular from the Management of CPWD extending time to CPWD Management for the submission of their claim upto 30th March, 1987. Shri Manna also stated that even if his Union did not come earlier, now under the Act and Rules he can join and to facilitate him|his Union he be given the claim submitted by the Management of CPWD and CPWD Mazdoor Union. Shri Manna said that he was permitted to inspect documents only on 9th November, 1987. Shri Manna further submitted that now he wish to join the arbitration so opportunity be given to him and there will not be much delay after he receives the documents demanded by him which he is entitled to.

19. The Board of Arbitrators deliberated seriously and decided as follows :—

(a) The request of Shri Manna at this belated stage for supply of copies of claim of CPWD Mazdoor Union and CPWD Management cannot be acceded to because he has failed to submit his claim on the basis of Notification dated 31-10-86 and numerous opportunities were also afforded to him and the parties who appeared before arbitrators were directed to exchange their claims simultaneously at which time Shri Manna did not opt willingly.

(b) The oral request of Shri Manna to submit his claim at this stage does not merit cogent reasons and sufficient grounds so rejected.

The Arbitrators took up next item of arguments of the Management of CPWD and Shri B. B. Singh was directed to argue his case.

20. Shri B. B. Singh apprised the Arbitrators of the progress made by him in preparing the arguments of the Management of CPWD and asked for very short time so that he is able to submit his arguments and the time was absolutely necessary in the interest of natural justice. Shri B. B. Singh assured that on this count there will not be any request from the Management for further adjournments and on the next date the Management shall argue their case.

21. Shri Prasad vehemently opposed the adjournment and requested the Arbitrators that in Law there is no obligation provision for the Arbitrators to hear the arguments and the number of adjournments sought by the Management merits rejection this time. Shri Prasad further submitted that the Arbitrators have full material and pleadings of the Management in submission of Award of the Industrial Dispute.

22. The Arbitrators deliberated on contentions of Shri Prasad and decided to extend last and final opportunity to the Management of CPWD to argue their case.

23. The matter was adjourned to 1500 hrs. of 27th day of November, 1987.

24. The Board of Arbitration met as scheduled on 27-11-87 Shri B. B. Singh requested orally for an adjournment to enable the CPWD Management for arguments. Shri Prasad objected for grant of adjournment. Shri B. B. Singh appeared on behalf of the Director of Administration, CPWD, New Delhi but he could not produce any authorisation letter on his behalf. The Director of Administration is requested to appear in person or through authorised representative on 30th November 1987 before the Board at 14.30 hrs. Since large number of adjournments have already been availed by the CPWD Administration no further request for adjournment for any purpose will be entertained. The case is fixed for final arguments of the Management on 30th Novembers, 87 at 14.30 hrs.

25. The Arbitrators met as scheduled on 30-11-87 at 1430 hrs. Shri Chander Sain, Director of Administration, CPWD prayed orally for an adjournment for 3 weeks to enable the CPWD Administration for filing arguments. Shri Prasad objected for grant of adjournment.

26. The Arbitrators heard at length Shri Chander Sain, and rejected the prayer for 3 weeks' adjournment. However time for filing arguments of the Management of CPWD was allowed to be submitted on 8th December, 1987 at 1430 hrs.

27. The Arbitrators met as scheduled on 8th December, 87 at 1430 hrs. Shri Chander Sain, Director of Administration CPWD prayed orally for a short adjournment which after consideration by the Board was granted. Both the parties signed an agreement for extending the period of time for submission of Award by the Board upto 31st Jan., 1988. The adjournment was granted and the matter was posted for 14th December, 1987 at 1430 hrs. which is exhibited as Annexure V.

28. The Arbitrators held their 46th meeting as scheduled on 14th December, 1987 at 1430 hrs. Shri Chander Sain, Director of Administration, CPWD, submitted his written submissions as follows :—

28.1. In the annexure to the Notification referring the Industrial Dispute to Arbitration, the specific matters in dispute is stated to be whether the demands of the CPWD Mazdoor Union regarding re-categorisation|re-classification of workcharged staff and regular classified categories with effect from 1-1-73 on the analogy of classification given in the scheduled employment (i) construction or maintenance of road or in building operations; and (ii) the maintenance of buildings and employment in construction and maintenance of runways, as listed in the Annexure is justified. If not, to what relief the workmen concerned are entitled.

28.2. In the annexure referred to above, the CPWD Mazdoor Union have sought for automatic conversion of the pay scales of certain categories to Rs. 210-290 after rendering 3 years of service in the lower pay scale of Rs. 196-232. Similarly, in regard to some semi-skilled and skilled categories, it has been demanded that they be given higher pay scale|selection Grade after putting 3 years of service. In regard to some other categories of highly skilled grade I, II, and III and IV, it has been demanded that promotion posts for Civil and Horticulture be created in skilled grades I, II, and III and next scale demanded above be given to all workers who have completed 3 years of service as on 1-1-76 or after whichever is later. It has been further demanded that selection grade may be given in all posts.

28.3 In this connection, it is submitted that there are two issues involved in the Arbitration, i.e., re-categorisation| re-classification of work charged staff and Regular classified categories as well as the date from which the recategorisation|reclassification should be made operative. Both the

issues i.e., reclassification|recategorisation of the WC and RC staff as well as the date from which such reclassification/recategorisation are arbitrable.

Recategorisation|Reclassification of posts.

28.4 As recategorisation, the demand of the CPWD Mazdoor Union was received for the first time in January, 1987 arising out of the bilateral agreement arrived at between the CPWD Mazdoor Union on the one hand and the Management of the CPWD on the other. The Union have desired the recategorisation as broughtout in para 2 above. This demand includes :—

(1) Automatic grant of higher pay scale to some of the unskilled categories of Muster Roll workers after putting in 3 years service against a particular post.

(2) Some of the semi-skilled categories may be provided with avenues of automatic promotion to the higher pay scale.

(3) Some of the skilled categories may be provided Selection Grade after putting 3 years of service.

(4) Some of the highly skilled categories may be provided the next time scale as highly skilled Grade I after putting in 3 years service in the highly skilled Grade-II.

(5) Promotion posts for Civil|Horticulture be created in the skilled Grade I, II and III.

(6) Next skilled higher scale be given to all workers who have completed 3 years of service as on 1-1-76 or after, whichever is later.

(7) Selection Grade be provided in all posts mentioned above.

28.5. The main current flowing through the demand is automatic promotion to the higher grades after 3 years of experience in the respective post. This is an utopia the Association has imagined as panacea for all their ills. This is much far away from the realities of Government service for the following reasons :—

(i) The number of posts in each scale of the Government which is equally applicable to the Muster Roll Workers, is fixed with reference to the job requirements, keeping in view the need of supervision, control and discipline through a given hierarchy. Simply because the person has gained some experience in this grade does not allow him to work in places of a superior who has different job requirements. He can got the higher scale only when the vacancies become available in the higher grade against which he can perform higher grade functions. On the basis of equality and justice, not expect higher grade while performing the lower functions. On the basis of equally and justice, this demand is untenable.

(ii) It is too much to presume that the uniform priodicity of 3 years in all types of works-unskilled, semi-skilled, skilled and highly skilled will make the workers expert so as to enable them to hold the higher grade post efficiently.

(iii) The grades of the WC and RC have been given with reference to the specific work assigned to them. Merely by repetitive working in the same post may not automatically make him fit to hold the senior post requiring different and higher type of duties and responsibilities.

(iv) The present set-up of the Government in any organised or unorganised service does not and cannot grant automatic promotion to the higher grade after putting in given number of service. The Union has raised a very major policy issue which cannot be considered in isolation.

(v) The very fact that each pay scale consists 10-15 stages for reaching the maximum signify the intention of the Govt. that a person in a particular scale has to continue working for a number of years in that scale till he merits promotion to the higher scale subject to the availability of vacancies in the higher grade, fulfilment of the minimum conditions in respect of qualification, experience, technical qualification, etc. and in his own turn. As a matte. of policy, the promotion after 3 years in the context of pay structure in the Central Government has to be completely ruled out.

(vi) Irrespective of whatever merit the Union may consider their proposal would contain, it is clear that automatic promotion, for all intents and purposes, skills initiative of the workers reduces their efficiency and affects the quality and quantity of the output. Govt. can ill afford this luxury at the stage of providing basic services.

(vii) In some of the categories, a provision has been made for giving extra incentive to the deserving persons for going up to the next highe. scale through in service trade test examination. The experience has shown that a really deserving worker does got a chance to show his worth and earn the higher appointment against higher pay scale.

(viii) The observations of the Union that since the incumbents of the Assistant categories and the main categories (e.g. Asstt. Wireman and Wireman, Asstt. Plumber, Asstt. Carpente., Carpenter etc.) perform almost the same duties, they should be put in the same scale of pay under the skilled categories. This is factually incorrect as independent sets of duties and responsibilities for each individual category have been codified/prescribed in the C.P.W.D. Mannual.

Date of effect

28.6 The Union has demanded that the recategorisation should be made effective on 1-1-73. It is submitted that as a usual exercise, re-categorisation had been decided upon after the acceptance of the Third Pay Commission Report effective from 1-1-73 by an expert body and this had been duly implemented. There is no other categorisation which has been made available and accepted by the Government which is pending implementation and as such the question of any implementation of recategorisation w.e.f. 1-1-73 is prima facie untenable. If the Union feels that re-categorisation as valid today should be done, its effective date will be only prospective and not retrospective. If the Union feels that somewhat different categorisation was required in the intermediary period of 1973 and 1987 the present time, it is just unpracticable not only to comprehend its scope of means of its implementation in the intermediary stage. Again, the engineering technology, technical skills, etc. have made quick advances during the last one decade and it is more or less impossible for the experts today to imagine the recategorisation needed for the intermediary period and how to compensate the workers, if at all required on that account. The demand is also untenable on the following grounds :—

(a) The Union has not given any justification for selecting the date of 1-1-73 in respect of their demand.

(b) They have not correlated the date of 1-1-73 with any specific categorisation which could be identified with reference to that date and which could be acceptable to the Government. In short, they have not justified their demand at all.

(c) Any categorisation done today can be implemented only prospectively and no earlier date can be relevant to it.

(d) All Government decisions especially those having financial implications are given effect to prospectively and not retrospectively. There are no compelling reasons for making departure from the accepted Government policy in this case.

(e) Any recategorisation has to be done by a Group of expert persons drawn from different fields, and Government in principle and which is required to Defence, Labour Electrical and Civil Engineering

disciplines have to be represented on it Only after such an expert body gives its report, the question of any arbitration could arise No such report is available today and which has been accepted by Government in principle and which is required to be arbitrated upon implemented Any decision taken in this case will also have effect on about 25,000 M R Workers creating huge financial demand on the extremely limited funds available with the Government

(f) Any demand of recategorise the huge number of Work Charged and Regular Classified Staff from a retrospective date is bound to throw huge financial burden on the Public Exchequer which the Government and the country can ill afford

(g) Implementation of such a decision from 10 15 years back would also create unimagineable and administrative and legal complications

28 7 In addition to what has been stated above He would like to submit for consideration that the Work Charged and Regular Classified Staff of the CPWD are getting almost all service benefits admissible to Regular Government servants For example, they are getting the same pay scale and allowance as are admissible to the incumbents of the comparable posts in the Central Government Beside, this leave pensionary benefits, bonus, advance, LTC, CGHS benefits etc As a matter of fact, in the matter of service benefits, they are better placed than the incumbents of comparable posts in the Central Government Servants of Group C&D while only a limited category of Group C and D staff of the Central Government get the benefits of uniforms nearly cent percent Work Charged Staff excepting a very small number are given uniform on the pattern of Central Government in some cases even better than that admissible to Central Government Servant Apart from this, while in the case of regular Government servants the age of superannuation for Group 'C' category and above is 58 years in the case of Work Charged Staff the age of superannuation is 60 years Similarly while the Central Government servants get the Overtime Allowance at the single rate the Work Charged Staff and Regular Classified Staff get overtime allowance at double the rates It would thus be seen that the service benefits at present admissible to the WC Staff is much more than that admissible to the other staff of Central Government There is therefore no justification for giving any further relef to Work Charged and Regular Classified Staff The demand of the Union for higher recategorisation/reclassification of the staff may therefore, kindly be rejected

PRAYER

28 8 It is, therefore hereby prayed that the Board of Arbitration may be pleased to

(a) Consider the Submission made by the Employer/Management and reject the demands of the C P W D Mazdoor Union, and

(b) Pass such orders as deemed fit

29 Shri Chande Sain Director of Administration CPWD submitted his written arguments on behalf of the CPWD Management on the demands of the CPWD Mazdoor Union before the Board of Arbitrators which are reproduced below —

29 1 It is a known fact that CPWD is a premier Central Government Organisation engaged in construction and maintenance activities for many decades The maintenance activities in civil electrical and mechanical and horticulture wings require workmen both unskilled and with varying degrees of skill The job content of every category of workmen has been clearly laid down in CPWD manual Vol III Those were initially framed and periodically reviewed by experts in the concerned discipline from within the department Further, two Categorisation Committees appointed by the Government in 1960 and 1973 reviewed the categories The very opening remark of the Union in the statement of the claims that CPWD have not classified/categorised different posts according to job content is therefore totally wrong and should not be taken cognisance of the Board of Arbitration

29 2 After the 2nd Pay Commission's Report was accepted, there were no objection from the workers since the categorisation was judged reasonably by the first categorisation committee The Categorisation Committee appointed during 1973 consequent to the release of 3rd Pay Commission's Report also made a detailed examination of the classification/categorisation of the various categories in W C and R C E After interviewing 48 individuals Union and deliberations in detail for around one year the committee gave its recommendations The CPWD Mazdoor Union, which is one of the parties to the Arbitration was not a recognised Union at that time and, therefore was not consulted by the categorisation committee The Union which was granted provisional recognisation for the first time in 1983 (i e after even the appointment of the next i e 4th Pay Commission) more than 10 years later, is now proposing to re open the entire report and the recommendation of the categorisation committee on which decisions had been taken by Government and implemented long back Even consideration of the demand at this stage will not be correct, in the opinion of the Management as it will set a very bad precedent and decisions taken long back will be sought to be reopened, as and when any new Union is accorded recognition The basic approach to the classification remained, by and large, the same as of the First Categorisation Committee This Committee had representatives from the E in C Branch, Army Headquarters (Director of Work Study) Labour Officer and experts in Elect and Civil Engineering disciplines As such, the allegations of the Union that the committee have not properly classified or categorised the categories and the recommendations are self contradictory are unfounded The reference used about the categorisation committee as 'so-called is derogatory and objectionable Our objection may be taken note of by this Board of Arbitration

29 3 The Union had made references to the Pay Scales, in IAAI, DESU, NDMC, Delhi Floo Controls and Institutes under the ICAR, stating that most of these works have been transferred from CPWD itself In the first instance, it is submitted that CPWD is a Central Government Department and not a public sector undertaking, and Autonomous body or a Municipal Organisation the service conditions are different from one another The nature of duties in DESU, NDMC etc cannot be compared with that in CPWD Further, as per Arbitration reference the dispute is on the recategorisation or otherwise on the analogy of classification given in the scheduled employment under Minimum Wages Act Hence reference to pay scales of IAAI, DESU etc totally extraneous to the Arbitration As such any comparison with the position available in these organisation is irrelevant and may be ignored by the Hon ble Board,

29 4 It is also an incorrect statement from the Union that most of the works have been transferred from the CPWD to these organisations Even if it is taken to be correct, this does not justify similarity of scales in the two sets of organisation with different status, working conditions etc

29 5 The Government Notification under the Minimum Wages Act 1948 lays down only the minimum rates of daily wages including wages for the day of weekly rest, various categories of workers grouped as unskilled semi skilled supervisory skilled highly skilled and clerical The definition of such group has been indicated there The workmen in WCE and RCE in CPWD are not daily wagers, but are engaged under regular scales of pay which have minimum and Maximum length definite rate(s) of increment EB, etc with specified allowances They also enjoy service conditions different from Muster Roll Staff/Casual Labour who get wages on daily basis It is therefore, not correct to relate them to the Minimum Wages Act in this context Nevertheless it is submitted that keeping in view the job requirements and skill required for the various categories in CPWD these are categorised in the Department and it is confirmed that the total emoluments for these categories in CPWD, are much above those laid down in the said Government notification under Minimum Wages Act It is therefore, prayed that the submission of the Union in this regard may not be accepted

29 6 The contention of the union that the workmen fall under the schedule employment of Minimum Wages Act, is not acceptable so far as the W C Staff and RCE in CPWD is concerned, no the anology of the classifications indicated

in the MOL Notification under Minimum Wages Act is acceptable in appliction to these workmen. The reason are explained below :—

(i) The MOL Notification indicated the Minimum Wages of daily wagers, whereas W.C. Staff and RCE staff in CPWD are engaged on monthly salaries and have service condition different from daily wagers.

(ii) The MOL Notification indicated number of designation and grades and there is no indication about their duties. Even more than one grade/class is shown bracketed under a particular group of classifications. On the other hand, the job requirements are spelt out against each designation of workmen in CPWD and they are categorised accordingly in scientific manner. With this, the workmen requestion like skill and having like responsibilities are classified in the same grouping in the Department. It is commonly observed that the same designation in different organisation have different levels of positions. As such, it is fair, only if the job content is considered in the designation, as has been in CPWD.

(iii) The MOL Notification does not indicate any Highly skilled Supervisory category, whereas such categories are essential in the Department's working. A large number of categories being adopted in the Department, are not indicated in the MOL Notification.

(iv) From the MOL Notification, it would appear that :

(a) that the work of a semi-skilled worker is capable of being performed under the supervision of guidance of skilled employees.

(b) a skilled worker's work performance calls for initiative and judgement ; and

(c) a highly skilled worker is to assume full responsibility for the judgement or decision involved in the education of these tasks. In this connection, the following submissions are made :—

(a) So far as CPWD's WC/RCE staff are concerned, the duties and the qualifications/experience prescribed for semi-skilled workers are such that supervision/guidance of skilled employee is required.

(b) The need for some amount of initiative and judgement in the performance of work exists in general in department.

(c) Every worker is responsible for the work he does irrespective of the skill.

29.7 It is, therefore strongly contended that drawing analogy to the categorisation in M.W. Act in respect of categorisation of WC/RCE staff in CPWD is wholly unjustified. The comments on the demands concerning various categories are furnished hereunder, under the heading "Demand".

29.8 While, therefore, not conceding any of the demands, it is at the same time pointed out that no justification has been indicated in their submissions as to why 1-1-73 has been mentioned as the base date for their demands and also why higher scales are further demanded from 1-1-76 or from 3 years in the concerned scales in certain categories. It is therefore, prayed that this aspect of the demand be also rejected by the Hon'ble Board of Arbitrators, as no rationale has been indicated for the above dates, which are arbitrary.

29.9 From the submissions of the Union, it is apparent that they would like to have common pay scales for all organisations under Central Government/State Government/Local authorities etc. falling which it is discriminatory, unlawful and violative of labour laws as well as Constitution of India. The job content, working environment, extent of skill required etc are not practically the same everywhere and it is a well known fact that there is no such system as "National scales of pay" as envisaged by the Union. The contention of the Union, of discrimination is, thus, without any basis. It is also submitted that this is not within the purview of the Arbitration reference.

29.10 It may thus be seen that the "justification of demands" submitted by the Union is absolutely unreasonable.

30. DEMANDS

(1.1) The allegation by the Union of arbitrary, unilateral and unscientific categorisation by the Categorisation Committee is totally baseless. The composition of the Committee, the number of interviews held and the analysis made by them will clearly prove this point. It is not expected of a responsible Union to make such an unwarranted observation about on expert committee. The contention of the Union that certain posts indicated by the Union falling under the schedule Employment of Minimum Wages Act 1948 is not reasonable, as submitted earlier. The nature of their duties, it is confirmed, is "unskilled even as per the definition in the Ministry of Labour Notification dated 29-10-86 under M.W. Act. 1948.

(1.2) No comments.

(1.3) The Union has submitted that the categories of Beldar, Bhisties, Chainman, Khalasi, Mali, Forest Guard, Sweeper, Cleaner, Waterman, Chowkidar, Bearer may be re-categorised/reclassified as untrained unskilled workman" Our submission is that there are no categories such as 'trained' or 'untrained unskilled workman' as per Ministry of Labour Notification under the Minimum Wages Act. The proper classification is "unskilled". This demand of the Union is therefore illogical/unjustified and deserves to be ignored by the Arbitrators.

(1.4) No comments.

(1.5) It has been submitted by the Union that incumbents of the posts of unskilled categories equipped themselves with the requisite qualification and become abreast with the knowledge of different instruments, their use, identification of seeds, with different plants and other intermediary knowledge of the work and therefore, they become more helpful to the workmen of other categories. To encourage and further develop and inculcate in them the sense of responsibility, the Union demand that these workmen may be given pay scale of Rs. 210—290 after 3 years of service by categorising them as 'trained unskilled workmen'. The management holds that the unskilled workmen in Central Public Works Department no doubt acquire experience over a period of time but has to establish the acquired skill/experience by passing prescribed trade test before he is considered for promotion to higher category of post through means of seniority-cum-fitness. They are also permitted to compete for a higher category of post under D.R. quota. Many of them who really take interest in acquiring the knowledge of the trade are able to get into higher post in the Direct Recruitment Quota. The existing system is thus helping the really deserving workmen to progress in their career. The demand of the Union for automatic higher revision of scale of pay after three years of service, if accepted will only be counter-productive and kill any incentive to acquire more knowledge of the skill. It is a well known fact that a higher scale of pay in any organisation is given only when the incumbent is required to carry out work involving higher skill and responsibility and not merely because he has acquired a better skill or has a given number of years of service in a lower scale. Further, as submitted earlier there is no classification as trained unskilled name any where not even under the Minimum Wages Act. It is, therefore, prayed that the demand of the Union may be ignored and the existing classification of recategorisation of the workmen as well as that of promotion to the higher category which is free from encumberences and which is based on realistic approach of helping the really deserving/experienced and skilled persons may be allowed to continue.

(1.6) The Union has demanded that on the analogy of pay scale in International Airports Authority of India, the unskilled workmen in CPWD be also recategorised and their pay scales raised from 1-1-76 or on completion of three years of service as the case may be. In this connection, it is submitted that it would not be appropriate to compare the categories and scale of pay of workmen of Central Government with those of autonomous organisations

and Public Sector Undertakings for obvious reasons of diffe ent set ups, working environments, perks, etc. available. It is, therefore, prayed that this demand of the Union be ignored.

(2) Not acceptable.

(2.1 No comments.

(2.2) The category of Sweeper is a common category and is not a categ ry peculiar only to the CPWD. The Ministry of Labour notifications, issued unde- M.W. Act from which the Union is trying to get support for their various demands for recategorisation, have categorised Sweepers only as Unskilled, Therefore, the Sweepers, wherever they are working in Government Departments are given the same unskilled scale of pay. Comparison with autonomous organisation or public secto, undertakings is not appropriate, as already submitted earlier. In view of this the allegation of the Un'on of violation of any Article of Constitution of India is without any basis. Their demand for recatego isation of Sweepers as Semi-skilled and for giving them higher pay scale is unwarranted and unjustified. Therefore, the demand of the Union be ignored.

(2.3) The a guments advanced do not justify g'ving of a higher pay scale or a higher categorisation to Farashes, Bhisties and Lift Khalasis Just because a stray Farash might have been tempo'arily required to do an odd job need'ng bette- skill does not justify higher categorisation of the category of Farashes as such. No justification has been given for recategorisation of Bhisties as semi-skilled. Therefore, the demand of the Union may be treated as un warranted and be ignored, allowing the existing categories to continue.

(2.4) The function of Lift Khalasi is only to assist the Lift Operator and Lift Mechanic. He is not required either to operate the Lifts himself or to have knowledge of different tools, etc. as stated by the Union. The work of a Lift Khallasis is of completely unskilled nature and, the efore, the demand of the Union to categories the Lift Khallasi as semi-skilled is unjustified and may be rejected.

For the same reasons as contained in the proceeding such paras the demand of the Union for g'ving them higher pay scale of Rs 240 from 1-1-73 meant for semi-skilled workers is unjustified and may be rejected.

(2 5) The demand of the Union for creating more posts of Khallasi is not within the terms of reference to the Arbitration and as such the same may be ignored. Incidentally, there is no proposal for abolishing th's category.

(2.6) The demand of the Union for creation of posts of Head Chowkidar in such Division under the semi-skilled category in the pay scale of Rs 240—320 is not with'n the terms of reference and the same may be ignored

(2 7) The demand of the Union fo- h gher categorisation and higher pay scale automatically after completion of three years of service is totally unjustified. Number of posts created in each category depend'ng upon work requirements in each category and is never governed by the length of the service of any workmen in lower category. This principle has not been accepted by Government, in any other field of its employment.

(2.8) This demand of the Union for filling of 100% posts of the semi-skilled categories from amongst unskilled, untrained and unskilled trained wo kmen on the basis of seniority is also not covered by the terms of reference to the Arbitrators and as such the same may be ignored.

(2 9) As already submitted, the e can be no comparison between the employees of Government departments and those of public sector undertakings and autonomous organisation. As such, it is reiterated that attempt of the Union to draw the analogy from such undertakings/organisations is not proper and the same may be ignored.

(2.10) The demand of the Union for classifying the workers as semi-skilled, semi-trained Artisans and after 3 years of service as semi-skilled trained Artisans is totally baseless unjustified and may be rejected.

(3) No comments.

(3.1 and 3.2) The demand of the Union for adding new category of Valveman/Asstt. Cook Bearer, Enquiry Clerk in the revised pay scale of Rs. 260—400 w.e.f. 1-1-73 with a view to providing promotional avenues to unskilled workmen and semi-skilled Artisans is not covered under the terms of reference and therefore, deserves to be igno ed by this Board.

(3 3) The demand of the Union for drawing analogy from the pay scales available in autonomous organisations and public sector undertakings is improper for the reasons already explained above in various paragraphs and may be ignored.

(3.4) T demand of the Union for revision of pay scales of the Lift Operators from 1-1-73 does not merit for consideration by the Board as the question of revision of pay scales of Lift Operators consequent to Fourth Pay Commission's Report is already pending in the Supreme Court of India for which a final hearing was held on 15-11-87. The judgment of the Supreme Court is, however, still awaited. Since the matter is pending before the highest Court of judgment and the judgment is awarded shortly, the Hon'ble Arbitrators are requested to ignore this demand of the Union (Decision of the Supreme Court which has since become availab'e is appended is Annexure VI.

(3.5) The subm'ssion of the Union for ordering to phase out Slow Speed Lifts is not covered under the terms of reference and the same may be ignored.

(3.6) The submission of the Union that the category of Sewerman is unskilled in the W.C. Estt. in the department is incorrect. The factual position is that sewerman whether in W.C. Estt. or R.C.E. is a semi-skilled person. The demand of the Union to categorise him as skilled on the analogy of definition in M.W. Act is not justified on any ground. The job requirement is only that of semi-skilled as has been categorised in the Regular as well as W.C. Establishment.

(3.7) The demand of the Union for creating posts of the Enquiry Clerks and for laying down Yard-Stick for this category is not within the purview of the arbitrators and the same may be ignored.

(3.8) The demand of the Un'on for creating posts of the Valveman is not covered under the pu view of the arbitrators and the same may be rejected.

(3.9) The othe- categories referred to in item No. 3 submitted by the Union in the Arbitration do not require any special skill and may, therefore, continue in the unskilled category. The demand of the Union may be rejected.

(3.10) As submitted in earl'er parag aphs automatic revi-'on of pay scales of the workers after a certain years of services will kill initiative among the workers and is bad in principle. This may be rejected.

(3 11) The demand of the Union for creation of post of Mate, Head Sweepers, Sanitary Jamadar, Building Jamadar Frash Jamadar in each Sub-Division with a v'ew to providing promotional avenues to the feeling cadre in the semi-skilled category is outside the purview of the Arbitration and may be rejected.

(4) No comments.

(4.1) The demand of the Union for deleting the category of Senior Mali is also out of purv'ew of the a bitration and many be rejected.

(4.2) The request of the Union for adding the category of Assistant Operator (AC&R) and Operator (AC&R) may be rejected as the e is no category in CPWD called "Operator (AC&R) or Assistant Operator (AC&R).

(4 3) The demand of the Union contained in para 4.3 of their submission dated 13-1-87 is not acceptable.

(4.4) The demand of the Union for creation of post of Lift Mechanic with a view to providing promotional avenues to the Lift Operators is not covered under the arbitration reference and may be ignored.

(4.5) The contention of the Union that the Assistant and full categories of workers are performing the same duties is incorrect. The duties are distinct, as laid down in the CPWD Manual Vol III There is no violation of Constitution in the matter of categorisation. The demand of the Union for recategorising the skilled categories as highly skilled categories is not justified and is not acceptable. The duties as laid down in the CPWD Manual and the qualifications, trade test requirements for employment in these categories will amply disapprove the contention of the Union for categorising them all as highly-skilled. The demand of the Union may, therefore, be rejected.

(4.6) The qualifications prescribed for the post of Motor Lorry Drivers and Road Roller Drivers are given in CPWD Manual, Vol. III.

(4.7) The judgment of the Regional Labour Commissioner (Central), Kanpur and that of the Delhi High Court referred to are not relevant as these relate to the daily wage muster roll workers of the CPWD and, as already submitted at the beginning in para 7, there can be no comparison between the daily wages workers and the workers in the Work Charged Establishment and Regular Classified Establishment, who are paid pay and allowance with regular pay scales Workers in W C E./R.C.E. mentioned in this paragraph had been correctly stated as skilled from 1-1-73 and given the relevant pay scales.

(4 8) There is no justification for recategorising the workers referred to in para 4 of the Unions' submission as highly skilled. The existing categorisation is in order keeping in view the duties prescribed. The judgment of Supreme Court in Shri D. S. Nakara's case and other judgments referred to by the Union relate to payment of wages to daily wages workers and are, therefore, not relevant.

(4 9) The submission of the Union for filling up of the 25% posts of highly-skilled category on the basis of Limited Departmental Competitive Examination from amongst Work Charged and Regular Transferred category and the rest 75% by way of promotion is not covered under the arbitration reference and may be ignored

(4 10) The demand of the Union for dispensing with the licensing from states for the trades is outside the scope of arbitration reference and may be ignored. Incidentally, licencing is statutory requirement and cannot be dispensed with.

(5) Nil.

(5.1) The submission of the Union for reading the post of Senior Mechanical as Senior Mechanic (Mechanical)/Lifts may not be agreed to as there is no category in CPWD as Senior Mechanic (Mechanical).

(5.2) The demand of the Union for creation of new categories is outside terms of arbitration reference and may be ignored.

(5.3) The demand of the Union for doing away with the requirement of the Supervisory licence for the post of Electrician may be ignored as Supervisory Licence for Electrician is a requirement as per the recruitment rule for this category, commensurate with the job requirements. The question of doing away with requirement is also not covered by the Arbitration reference.

(5.4) As there is no categorisation "Highly Skilled Grade IV" even in the Ministry of Labour notification the demand of the Union for filling up 100% so called newly created posts on the basis of seniority may be rejected.

(5.5) The demand of the Union for upgrading the existing scale of Rs. 330-480 from 1-1-73 on the analogy of the scale in National Museum, Civil Aviation Department, International Airport Authority etc. is not justified for the reason that the duty against each category as laid down in Manual Vol. III is to suit the respective job requirements in the CPWD and the date of 1-1-73 is irrelevant after implementing the 4th Pay Commission recommendaitons. The pay scale is appropriate in reference to the duties. There is nothing which can be considered as special type of function expected of this post. Within the Department, there is not disparity and as such, the question of violation of the Constitution or Court judgment does not arise.

(5.6) The demand of the Union for doing away with the present practice of regular works relating to maintenance of Lifts, refrigerations and electrical wiring being given to the contractors is not covered under the terms of reference of the Arbitrators, and may be ignored.

(5.7) The demand of the Union for drafting all the workmen in Highly Skilled Grade IV, 100% on the basis of seniority amongst Highly Skilled men is not covered under the terms of reference and some may be rejected outright.

(6). NIL

(6.1) No comments.

(6 2) The demand of the Union for inclusion of creation of new posts of Foreman (Lifts) on the same pay scale with a view to providing promotional avenues to the Lift Staff is not covered under the Arbitration reference and the same may be ignored.

(6.3) The demand of the Union for creation of post of Foreman of the Horticulture in the Highly Skilled category Grade III from 1-1-73 in each sub-division may be ignored. Firstly because there is no category called Highly Skilled category Grade III in the Department nor in the Minimum Wages Act and secondly because this is not covered under the arbitration reference.

(6 4) The demand of the Union for creating Selection Grade of Foreman category in each sub-division may be relected outright as the same is not covered within the terms of reference to the arbitrators Incidentally, the Fourth Pay Commission whose recommendations have been implemented from 1-1 86 include the Work Charged Staff and Regular Classified Staff, did not recommend Selection Grade for the Central Government Employees in their report. In other words, there is no concept of Selection Grade from 1 1-86 onwards.

(6.5) The terms of reference to the Arbitrators do not include consideration of the mode and method of promotion within the existing categories. As such, the demand of the Union for filling up of all the posts in the so called 'Highly Skilled Grade-III' by 100% strictly on the basis of seniority amongst so called 'Highly Skilled Grade-III' category may be rejected outright.

(6.6) Nil.

(6.7) Nil.

NIL

(7) Nil.

(7.1) Nil.

(8 1) Since there is no category called Highly Skilled Grade-I in the Department nor in the Minimum Wages Act and since the demand of the Union for promotion of Superintendent (E&M) and the incumberence to Highly Skilled Grade-I after 3 years of service be rejected outright.

(9) NIL

(10) The claim of the Union that the C.P.W.D. Mazdoor Union is only majority and representative Union of C.P.W.D. is denied This Union was granted Provisional recognition in December, 1983 pending verification of membership. There are two recognised Unions in C.P.W.D.

10.1 to 10 4) No comments.

31. Shri Chander Sain, Director of Administration, CPWD, also submitted oral arguments on behalf of the Management of the CPWD which were as follows :—

ORAL ARGUMENTS OF SHRI CHANDER SAIN DIRECTOR OF ADMINISTRATION, C.P.W.D. ON BEHALF OF THE MANAGEMENT OF CPWD BEFORE THE ARBITRATORS ON 14TH DECEMBER, 1987

31.1 Shri Chander Sain, Director of Administration, CPWD submitted before arbitrators that the Board has to adjudicate upon all the terms of reference and issues which are arbitrable independently like whether or not classification/categorisation done by the Management was proper or not and the date of effect visa 1-1-73 is also arbitrable according to terms of reference made by both the parties is a Director General (W), CPWD and CPWD Mazdoor Union under Section 10(a) of I.D. Act.

31.2 Shri Chander Sain submitted to the Arbitrators that the demand of CPWD Mazdoor Union regarding categorisation is not justifiable in respect categories which are not in existance and the categorisation done by the 3rd Pay Commission have already been implemented from 1-1-73 on the basis of categorisation done by Categorisation Committee Report of the then Ministry of Works and Housing. It was also submitted that when the categoriasation on the basis of 3rd Central Pay Commission has already been implemented the question of recategorisation from that date does not arise at all.

31.3 Shri Chander Sain further submitted that the demand of CPWD Mazdoor Union of automatic promotion after three years is not justifiable at all as promotion depends upon skill which each individual acquire and which can be adjudged only after the testing the skill of that individual. Moreover higher pay scale is given on the basis of not only trade test adjudging the higher skill but incumbent of the higher post is assigned duty and responsibility that of higher post and higher pay scale cannot be given without assigning higher duties. He further submitted that on the basis of time period of the employees in the WC and Regular Classified categories have not only been given higher pay scales than fixed under Minimum Wages Act but are also given annual increments at different stages, higher increments after crossing E.B. and the longer experience gets more increments after considering the length of service. Moreover promotion and appointments have got criteria of the technical skill of each post which are enumerated and mentioned in the recruitment rules of different posts and have requisite qualification also. Shri Sain further submitted that there will be no incentive if promotion is assured after a certain period of three years etc. Shri Sain categorically emphasised that no parameter to be applied with regard to automatic or time bound promotion in the interest of productivity which relates to continue interest if the promotions are allowed to take place after adjudging the skill by way of trade test. Shri Sain further submitted that date of effect retrospectively shall not be borned by the Management and question does not arise because no category exist. He submitted that the recommendation/Award of arbitrators shall take all shape and whatever come shall take effect prospectively. He requested that as a special case, Board of Arbitrators may give decision prospectively only and the demand of CPWD Mazdoor Union or higher pay scale and automatic promotion from prospectively be rejected. He cited that even pay Commission recommendations are from subsequent dates. He further emphasised that opposite party could not establish the retrospective application of categorise as back as 15 years. He said that there are changes during this long period in technology as well as technical skill. Shri Sain also submitted that selection grade from 1-1-76 demanded by CPWD Mazdoor Union does not have any relevancy at all as after revision of pay scales selection grade has been abolished and there is specific recommendation of 4th Central Pay Commission to abolish selection grade posts which has made this idea of the Union is relevant. Shri Sain further submitted that Hon'ble Arbitrators may also kindly bear it in mind at the time of Award that whatever decision they may come with regard to upgradation of pay scales or other points or pay scales, re-categorisation shall have direct bearing in the sister organisations like Defence, P&T Railyways and other Departments engaged in maintenance, construction of buildings and roads as CPWD manual is bye and large is applicable there also and CPWD Mazdoor Union has not made them party so without consulting management of that organisations whole exercise shall not be fruitfull at all. Shri Chander Sain also submitted that most of the demands of CPWD Mazdoor Union like promotion, creation of new posts, new categories abolition of low speed lifts, getting away with contract system in the maintenance of Lifts and Airconditioning etc. and promotion without test are not in the terms of reference of the dispute to the Arbitrators which may be rejected outrightly. Shri Sain said that a detailed list of paragraphs with numbers to the claim of CPWD Mazdoor Union which are not in the terms of reference in the dispute before the Arbitrators shall be submitted by his office for consideration of the Board. Lastly Shri Sain submitted that after country is facing financial crises and at the time of Award in the instance Industrial Dispute before the Arbitrators is unopportune. The Department is already burdened in the payment of higher pay to muster roll on the basis of Supreme Court judgement and in the event of higher pay scale given to regular employees by the Arbitrators it will apply to them also. The Department has also financially burdened with issue of uniform to WC employees.

32. Shri B. K. Prasad beged leave of the Arbitrators to submit a few points which was granted by the Board. Shri Prasad, General Secretary, CPWD Mazdoor Union on behalf of the workmen emphatically submitted that date of effect of 1-1-73 is not arbitrable at all as the Management of CPWD and CPWD Mazdoor Union have already agreed jointly the date of effect as 1-1-73 and referred the dispute dispute before Arbitrator whether or not reclassification and recategorisation on the basis of definition given in the schedule of Minimum Wages Act 48 and the pay scales demanded in the schedule are justified or not. Both the parties also jointly agreed to refer the dispute with regard to get the dispute adjudicated of automatic promotion after 3 years, selection grade in each post and promotion on the basis of seniority and issues like new posts, retiring age, conversion of regular classified Estt, transferred categories to WC, 5 yearly assessment or 3 yearly assessment etc. are incidental matters and the Board of Arbitration has full and total jurisdiction to adjudicate upon matters which are incidental to the adjudication of main industrial dispute. Shri Prasad further submitted before the Arbitrators that industrial dispute Act has provided a machnery to maintain industrial tranquality and specially brought to the notice of Arbitrators that the Arbitration agreement under Section 10(a) was signed in the background of withdrawal of indefinite strike in CPWD on 5th September, 86.

The Board of Arbitrators met on various dates i.e. 29-12-87 and held prolonged discussion on the claims and counter claims made by both the parties. The issues framed in the meeting held on 7-5-87 were also discussed in the light of pleadings. We have also considered carefully the preliminary objections raised by the management. We found the preliminary objections do not sustain on the face of voluntary reference to the Arbitrators.

We have taken up for consideration the issue already framed. The issue being as to whether re-classification of workcharge staff as also regular classified establishments as spelt out against issues No. (i) & (ii) is needed. We find that there has been existing an industrial dispute within the meaning of I.D. Act and that both the parties agreed to a reference for adjudication by the Arbitrators. This itself goes to prove that there is need for re-categorisation/re-classification of workmen engaged under the name and style as workcharge staff and regular classified establishments.

(2) Similarly the issues at Sl. No. viii and ix i.e. whether the reference made by the Min. of Labour is maintainable and whether there is need to improve promotional avenues etc. respectively were considered. An agreement dated 1st October 1986 within the meaning of I.D. Act was signed by the parties and sent to the appropriate Govt. Secretary Ministry of Labour who has published the terms of reference accordingly in their official Gazette. Therefore, the reference is legally maintainable and needs to be considered in accordance with law. Since there is a need on decision of re-categorisation/re-classification of employees, there is also need and requirement of deciding promotional avenues to be examined in the face of express terms of reference before the Arbitrators. Arbitrators are therefore of the opinion that there is a need to decide promotional avenues affecting the workers engaged under the name and style as workcharge and regular classified establishments. Thus, the issues at Sl. No. (i), (ii), (viii) and (ix) stand answered as above. The rest of the issues

Sl. No. (iii) to) (vii) would be dealt with during the course of deciding and examining the merits of the matters placed before Arbitrators for adjudication.

The Arbitrators met on subsequent dates i.e. 30-12-87, 4-1-88, 6-1-88, 23-1-88 and finally on 25-1-1988 and discussed the demands in detail. We have recorded minutes of proceedings held on the various dates. On 25-1-88 Arbitrators Shri G. K. Khemani, H. S. Vats gave their findings/opinions which are reproduced on the coming pages.

Findings of Shri G. K. Khemani, Arbitrator :

Government of India, Ministry of Labour vide their Notification published in the Gazette of India on 31-10-1986 had referred an industrial dispute between the Management of C.P.W.D. and the workmen belonging to C.P.W.D. Mazdoor Union for arbitration by the Board of Arbitrators consisting of Deputy Chief Labour Commissioner, Secretary of the C.P.W.D. Mazdoor Union and the undersigned. The matter of arbitration was about the demands of C.P.W.D. Mazdoor Union regarding re-categorisation/re-classification of work-chrged staff and regular classified categories from 1-1-73. The C.P.W.D. Mazdoor Union has put their demand vide their petition dated 13-1-87. The CPWD Management had filed their reply vide their rejoinder dated 8-4-1987. Subsequently, the Board also met some of the officers of the Department, the workmen of the department and based on these discussions my findings on the demand of C.P.W.D. Mazdoor Union are as under:—

The Union has demanded that all Beldars, Bhisties, Khalasies, Malies, Sweepers, Cleaners, Forest Guard, Waterman Chowkidars, Bearers, Chainman who are at present classified as unskilled workman should be automatically converted and paid for in the semi-skilled to Rs. 210 to 290 (Old scale) when they complete 3 years of service. This contention cannot be accepted as the workman even after put in number of years of service continue to do the same type of work which he was doing after appointment. Therefore in accordance with the doctrine of equal pay for equal work, we cannot give him the scale of semi-skilled workman. Even otherwise a large number of above categories of workman are doing the work of only un-skilled nature. No evidence was brought out before us that showed that every worker picks up the work of artisan after he/she has put in 3 years of service. It is also not necessary that all categories of un-skilled workmen will pick up the work of artisans after they have put in 3 years of service. In any case as per recruitment Rules any workman who has picked up the skilled/semi-skilled work can always appear for trade test and get promoted for the post of semi-skilled/skilled worker after put in 3 to 5 years of service. Therefore, this demand of the Union cannot be accepted.

Similarly, the demand of the Union for Automatic promotion of the left over categories of work-charged and regular establishment cannot be accepted as per the argument given above.

The Union has also included the Sweeper, Gestetner Operator, Head Sweeper, Farash Bhisti and Lift Khalasi also to be included for the benefit of the automatic promotion. On the analogy of other above demands of the Union, this demand of the Union is also, therefore, not accepted as no evidence was made available that these workmen are doing any work of semi-skilled nature.

The Union has demanded creation of post of Head Chowkidar. As this is not covered in the reference made by Ministry of Labour and as no evidence about necessity of work in Department was brought forward, no recommendation in this regard.

3. The Union has demanded that the following categories of workman after they have put in 3 years of service should be given selection grade in the pay scale of Rs. 260 to 430 (old scale).

Bullockman, Mate, Syce, Packer, Stocker, Bandhani, Gharmi, Serviceman Air-conditioning and Refrigeration, Head Sweeper, Sanitary Jamadar, Building Jamadar Fireman Cook, Farash Jamadar, Lab. Attendant, Cook Bearer Challan Guard, Gauge Reader, Meter Reader, Sewerman, Switch Board Attendant, Lift Operation (Light Speed Lifts), Dresser.

Some of these categories do not find their mention in the original Notification issued by the Ministry of Labour dated 31-10-1986, as also some of the categories may not be existing in the Department. As it is beyond our terms of reference to creat new post no finding is given on this account.

The demand of the Union that all the workmen working fo rmore than 3 years should be given the grade of the skilled category is also not tenable as they continue to do the work of semi-skilled nature. No evidence has been brought out before us to indicate that a high degree of skill is required for these posts to be declared as skilled. Besides normally selection scale is given only in those posts where there an acute stagnation. No evidence was produced to indicate stagnation in these posts.

The Union has also demanded the old pay scale of Rs. 260-400 for the Lift Operator for low speed lifts. Recently, the Supreme Court has categoriesed all the Lift Operators irrespective of speed of the Lift as skilled workman and therefore was have no other alternative but to fix them in the skilled scale of Rs. 975-1540.

The Union has further demanded that all Sewermen should be classified as skilled workman. It is felt that considering the nature of duties performed by Sewerman, no change in the existing categorisation is called for and he should continue to be put in the semi-skilled grade of Rs. 800-1150. No evidence that work involved is of skilled nature was brought before us.

The Union has further stated that the post of Enquiry Clerk, Valveman should be created. The creation of posts is beyond the scope of Board of Arbitration as also does not form part of reference made by Ministry of Labour. No award need be given on this account.

Similarly, the post of mate, Head Sweeper, etc. which the Union has demanded to be created in the department is beyond the scope of Board of Arbitration.

The Union has demanded that all workman presently designated as semi-skilled should be designated as highly skilled workman. Considering the nature of the duties as well as the nature of the work in the department there is no justification to declare all these workmen as highly skilled. No evidence was brought before us to indicate that these workmen are doing highly skilled category as defined in Minimum Wages Act "as one which involves skill or competence acquired through experience on the job or through training as an apprentice or in a technical or vocational institute or the performance of which calls for initiative and Judgement". The contention of the Union that Minimum Wages Act provides for these categories to be declared as highly skilled is not borne out by facts and on going through the Act itself.

It was however, brought out in evidence that the work of main and Asstt. category is more or less similar and except that difficult jobs are executed by main category. We therefore, agree that Assistant and the main categories may be merged together and all workmen on promotion from unskilled categories or appointment from the open market should initially be appointed in the semi-skilled category and after working for 5 years under the direct supervision of skilled worker, as provided for in different Recruitment Rules, be promoted to the main category. No other charge in this regard is required All these workman are also categorised under the Minimum Wages Act both in the semi-skilled and skilled grade and therefore, the present classification as per C.P.W.D. departmental categorisation, is correct.

The Union has demanded that highly skilled workmen be appointed on the basis of 25% by way of Limited Departmental Competitive examinations and 75 per cent on the basis of seniority. This item is not covered under the terms of reference of for Board of Arbitration and should be left to the Department. No evidence also was brought forward to give any finding on this account.

The scraping requirement of licencing for the electrical staff has been demanded by Union. This item is also not covered by the Arbitration and no evidence that this is not required was brought out.

The Union has demanded creation of certain posts of electricians, Sr. Mechanic Air-conditioning and Refrigeration, Sr. Mechanical, Sr. Operator, Pattern Maker, Boilerman, Work Asstt. Road Inspector, Head gardner etc. As the Arbitration agreement does not provide the matter retarding creation of any additional posts, the question of considering this demand does not arise. Also no evidence about the necessity of these posts was brought out.

The Union has further demanded the supervsory licences required for electricians should be done away. As the possession of licence by electricians should be done away. As the possession of licence by electricians is statutory requirement, this cannot be agreed to. Apart from above, this item does not figure in the Arbitration agreement and no evidence that this is not necessary was brought out.

The Union has further demanded that after creation of new posts the criteria for promotion to these posts should be 100% on the basis of seniority. This item is also not covered with the Arbitration agreement.

The Union has further stated that the old scale of Rs. 330-480 for highly skilled workman is unjustified. No justification for their demand has been indicated nor any evidence brought out. The present classification of the workman is based on the study carried out by categorisation committee and considering the nature of the work performed by workers each category have been properly fitted. The requirement of the work in the department has been considered very carefully while fitting the category to which the staff should belong to. This categorisation is also strictly and conformity with the classification given in the Minimum Wages Act.

The Union has further demanded that the maintenance of Lifts, refrigeration and electrical wiring sweeping etc. should be got done departmentally. This item is also not covered by the Arbitration Agreement.

The Union has also demanded that all workmen in highly skilled grade IV be drafted by way of 100 per cent on the basis of seniority. This item is also not included in the Arbitration Agreement.

6. The Union has demanded creation of certain posts of Foreman (Electrical Mechanical) Air conditioning and Refrigeraton, Radio Mechanic-cum-Operator, Work Asstt. Selection Grade, Sanitary Inspector, Cinema Operator, Surveyor, Asstt. Radio Mechanic-cum-operator, Foreman (Lifts) Foreman (Hort.), Foreman in all disciplines. As this matter is the creation of new posts, is beyond the scope of Arbitration Agreement. Also no evidence about the necessity of these posts in the Department has been brought out.

The Union has demanded promotion to the highly skilled grade III on the basis of 100 per cent seniority. As this is not covered by Arbitration Agreement, no finding can be offer.

Foreman in Railways and Delhi Flood Control getting no relevance as the work to be carried out by the workers in CPWD is completely different from the works being carried out in other departments and comparison can not be made.

The Union has further demanded that technical operator, Senior Sanitary Inspector, Engineer Supervisors should be given highly skilled grade III after put in 3 years of service. As there is no work requiring such scales in the department and these posts do not exist. The question of arbitration for these posts does not arise. No evidence about the requirement of these posts in the department has also been given during the proceedings.

The Union has further demanded that classification of highly skilled grade II, All persons holding highly skilled grade should be automatically promoted from highly skilled grade III As this item involves creation of new posts this is beyond the scope of Arbitration. Also no evidence was brought forth about the necessity of these posts in the Department.

Union has demanded that Supdg. E&M and other staff of highly skilled grade II should be automatically promoted as highly skilled grade I after they have put in 3 years of service. As aready stated this involves creation of new posts which do not exist in the department and for which there is no work in the department. No evidence was also produced. Therefore, the demand of the Union cannot be accepted.

The Union has also demanded that the above classification of pay scales and creation of new posts should take effect from 1-1-1973. As stated earlier the original re-categorisation of the departmental workers has been carried out by the Categorisation Committee properly and with the help of experts in the field who are well versed in the working of the department. No new techniques or equipments have been added in the department to justify any changes in categorisation. The demand of the Union that the Pay scales and new posts should be created from 1-1-1973, therefore is not tenable. The departmental offices have also not felt the need for re-categorisation of any category of workers. No evidence was also brought out by Union. Apart from above the demand of the Union also was referred to Arbitration as per agreement reached between the Management and the Union somewhere in 1985. Therefore, the demand for applying the new classification from 1-1-1973 does not arise. The Fourth Pay Commission has given its recommendations with effect from 1-1-1986. It is therefore necessary that our Award should also be applied w.e.f. 1-1-1986.

FINDINGS OF SHRI H. S. VATS, ARBITRATORS :

According to Notification dated 31-10-86 the Industrial Dispute between the Management of CPWD and workmen represented by CPWD Mazdoor Union publishing Arbitration Agreement between both the parties under Section 10-A of the I.D. Act confirm the fact that an industrial dispute exists between the Management of CPWD and their workmen represented by the said Union. In the Arbitration Agreement referred to above both the parties re-categorisation|re-classification of WC Staff and Regular classified categories w.e.f. 1-1-1973 on the anology and classification under Minimum Wages Act 1948 and in the Scheduled categories to be re-classified|re-categorised have been placed in a particular pay scale of un-skilled to highly skilled Grade I. In the Arbitration Agreement referred to above both the parties have also agreed adjudication of 3 years automatic promotion in all the grades, creation|classification of employments appearing in the Minimum Wages Act but not existing formerly in the Estt. of CPWD and demand of the workmen to create higher posts in Hort. Civil etc.

Consequent upon the opportunity afforded to both the parties, statement of claim on behalf of the workmen was submitted on 13-1-1987 by CPWD Mazdoor Union and the Management of CPWD filed their reply on 8th April, 1987, both the parties were given full opportunity for examination and re-examination, written and oral evidences, filing of documents etc. call of which have been marked and exhibited, my findings|decisions|opinions on the demands of workmen as well as wherever demands have not been found justified by me other relief the workmen are entitled to are under :—

The demand of the workmen in item No. i & ii of the Schedule i.e. unskilled and semi-skilled is with 6 corner approach.

Firstly the workmen do accept that there is a work in the Estt. of CPWD which can be and should be classified as unskilled. Second demand of the workmen is that the workmen after putting in 3 years of service do acquire upto date themselves with knowledge of tools work of CPWD and equipped themselves with some kind of skill which as above unskilled and such workmen be given automatic promotion after 3 years so as to say that workmen who had completed three years of service and classified as unskilled on 1-1-73 be classified as semi-skilled in the pay scales of Rs. 196—232 and similarly after completion of 3 years in this category of unskilled status be given automatic promotion in the pay scale of Rs. 210—290. Thirdly workmen demand is that there are categories like Bhisti, Frash, Cleaner, Chowkidar (night guard) Bearer etc. etc. who are appearing in the Scheduled of Minimum Wages Act 1948 in the semi skilled category and

CPWD have wrongfully classified them as unskilled workmen right from 1-1-73 and this irrational classification denying the time scale of the semi skilled categories of Rs. 240—320. Fourthly the workmen have also claimed semi skilled pay scale of workshop staff to the workmen who are called regular classified Estt. and given time scale of semi skill ment for office staff. Fifthly the demand of the workmen is that there are posts like Sweeper etc. The type of job they performing and some sort of skill and technique require to perform these duties specially when sweeper in CPWD required to do wet work used acids etc. for cleaning floors Varandah and other parts of the building, they be classified as semi skilled in the pay scale of Rs. 240—320. Sixthly the demand of the workmen is that all the unskilled workmen be promoted in 100 percent on the post of semi skilled in the pay scale of Rs. 240—320 and similarly semi-skilled workmen in the pay scale of Rs. 240—320 be given automatic scale of promotion in the grade of Rs. 260—350 after years service.

OPINIONS :

(a) Regarding third point referred to above in the 52nd meeting of the Arbitrators on 20-1-88, it was decided by both the Arbitrators and Umpire that all those categories which are not appearing in the Schedule of Minimum Wages Act in the 'Unskilled' category and only do appear in the 'semi-skilled' be classified as 'semi-skilled' and the classification by the Department as 'Unskilled' to go. Therefore, the following categories are classified as only 'semi-skilled in Gazette of India Part III, Section 2, S. O. No. 247 (E), dated 25th April, 1973 :—

Bhisti (2), Frash (62) Bearer (57).

The decision of the Arbitrators refered to above the irrational classification done earlier as 'Un-skilled' of 'semi-skilled workmen. The existing classification as 'Unskilled' does not sustain. In fact these categories should be classified as 'semi-skilled'.

(b) Regarding point 5th I am strongly of the opinion that all the 'Unskilled' workmen cannot do sweeping including wet sweeping with acids etc. and it needs on the one hand technique|some skill on the work and is possible only by way of long experience. Having taken note of the evidences on this point I find that the work of sweeper in CPWD is more onerous than ordinary sweeping and since technique|skill is required for the performance of this duty the pleadings of the Management fails and I firmly hold that Sweeper of CPWD is 'semi-skilled' workmen.

(c) Regarding Mali and Bulkman it is seen that the workman is demanding Malies to be classified as 'Unskilled' workmen and Bulkman as 'skilled'. I have gone through the Recruitment Rules of the post of Mali and Bulkman, their nature of duties allocated to them and the observation of Categorisation Committee of CPWD (1973) regarding categorisation of Mali. The duties being performed by Malies as well as Bulkman as above unskilled and existing categorisation is irrational which in my opinion be set aside. I do not agree at all with the workmen claim that Mali be classified as 'Unskilled' and Bulkman as 'skilled' both the contentions of workmen are liable to be dismissed. I recommend classification of Mali as well as Bulkman as 'semi-skilled' workmen.

(d) Regarding promotion of unskilled after three years and 'semi-skilled' to three years and giving pay scale as indicated by the workmen have been analysed in the light of proceedings of both the parties and the evidence adduced thereon and it is held that raw hand 'unskilled' workmen after coming to the Deptt. and serving in CPWD not only acquires knowledge of tools their use, machinery etc. but also equipped himself with the experience of work, of artisan and in turn assist the artisan in their work thereby deemed to have attained the status of 'semi-skilled'. Further more Beldar, Khalasi are attached with artisan as per yard stick in the CPWD Manual. Accordingly they are helper to the artisan and in Minimum Wages Act their status is that of 'semi-skilled'. Even expert of the Management of CPWD in his deposition, Shri N. Krishana Murthy have confirmed that during a period of 3 years 'Unskilled' workman acquires some skill which can be computed to that of 'semi-skilled' and he given automatically pay scale of 'semi-skilled'. Waterman and Cleaner in the electrical be merged with Khalasi and Watchman and Chairman in the Civil be merged with Belder. It is also held that all the unskilled artisan referred to above be given promotion automatically after three years in pay scale of Rs. 210—290 from 1-1-1976 or onwards whichever is later and they may be designated as Beldar Gr. I Khalasi Grade I and Chowkidar Grade I etc. etc. I do not agree any merit in the demand of the workmen for giving pay scale of Rs. 240—320 to 'semi-skilled' artisan as demanded by them. So it is held that time scale of 'semi-skilled' artisan refered to above should be Rs. 210—290. The demand of the Workmen to get automatic promotion from the grade of 'semi-skilled' does not match any merit and same is dismissed.

(e) The demand of the workmen for classification of Junior Gestetner Operator as 'semi-skilled' does not match merit in view of the reference of the appropriate Govt. dated 31st Oct., 86 as this category being a common category having no special peculiarity in CPWD be continued to be commonly categorised and I do not see any merit in making any recommendation in improvement of this post than the existing.

(f) Regarding Lift Khalasi I do not see any merit of placing this post direct in the 'semi-skill'. They may be placed in the 'Unskilled' and after 5 years given 'semi-skilled' pay scale being helper to the artisan.

(g) Regarding categorisation of Packer, Stocker, Syce, Bhandari, Gharmi, Head Sweeper, Sanitary Jamadar, Building Jamadar, Fireman, Frash Jamadar, Lab. Attendant, Challander, Switch Board Attendant, Dresser, my opinion is that these categories are classified 'semi-skilled' and be placed in the pay scale of Rs. 210—290. All the workmen in the 'semi-skilled' category after putting 8 years of service be given Selection Grade in the pay scale of Rs. 225—308. I further recommend that most of the categories are dying categories and their duties be merged with 'semi-skilled' workmen.

(h) Regarding demand of workmen to categories Laboratory Assistant, Fire Jamadar (Leading fireman) is being agitated to be classified as 'highly skill' which demand of the Party No. 2 does not merit in the light of their qualification, method of recruitment and duties.

(i) Regarding re-classification of Lift Operator (High and Low Speed) in the 'highly skilled' I do not see any merit of the Party No. 2.

(j) Therefore I feel that all other categories be categorised as skilled artisan.

(k) Regarding Sr. Mali I appreciate the reasonability of the Party No. 2 to appreciate facts and on the basis of which they themselves have prayed in the statement of claim at Item No. 3.1 that Sr. Mali be categorised as 'Skilled' and be deleted from Item No. 4 is based on reasoning so I am inclined to concede.

(l) Regarding Mate, Guage Reader, Meter Reader, Sewerman, Cook, Lift Operator (Light and High Spees) I am of the opinion that all these categories be classified as 'skilled'. All the 'Unskilled' 'semi-skilled' w[illegible] in [illegible] of

concrete brick cube testing and in the pants (Hot-mix asphalt Plan) and elsewhere be categories as 'skilled' workmen and wherever such employments has taken place the benefit of Grade pay concerned workman is entitled.

(m) Regarding work of Enquiry Clerk, it is opined that Beldar Khalasi/semi-skilled workmen are discharging the duties but they are not paid grade pay of 'skilled' workmen which be paid as per their entitlement.

(n) Regarding demand of Party No. 2 to give Selection Grade after 3 years of service strictly on the basis of seniority, I feel end of justice shall meet if after service of 8 years all the 'Skilled' artisan are given Selection Grade in the pay scale of Rs. 330—480.

(o) Assistant Radio Mechanic-cum-Operator, caneman, stonecutter, Tailor, Upholster, Cable Jointer, Painter, Fitter, Carpenter, Wireman, Plumber, Boilerman, Mechanic, Operator, Armature Winder, Blacksmith, Lineman, Welder, Tin Smith, Turner, Lift Mechanic, and with their Assistant Categories, Moulder, Choudhary, Floral Decorator, Serviceman AC&R, Mechanic AC&R, Sanitary Inspector, Cinema Operator, Motor Lorry Driver, Road Roller Driver.

All the categories referred to above which had earlier assistance categories under them including serviceman AC&R have been merged in the full categories and up graded to that of 'highly skilled'. I also hold that Road Roller Drivers be merged with the category of Motor Lorry Driver and lineman with Wireman. I also hold tht the demand of the workmen for classification of Lift Operator (High speed Lift) in the 'highly skilled' category breeds arbitrary classificaion in the same class of Lift Operator so in the light of it, this demand is dismissed. I also hold opinion that categories mentioned above though may be figuring in other industries under the Industries run by Central Government but the nature of duties and conditions of employment do differ as elsewhere possession of licences were not necessary, pre-requisite of employment and in the discharge of duties supervisor do guide them in the execution of work but in the CPWD all the workmen referred to above are reclassified as 'highly skilled' workmen and to discharge their duties and execute task independently without supervision as per evidences adduced by both the parties before the Arbitrators. I also hold that all the workmen in the 'highly skilled' categories be promoted 75 per cent on the basis of qualifying trade test subject to seniority amongst 'semi-skilled' and 'skilled' artisan. 25 per cent posts in these categories be filled up through limited/competitive departmental test amongst the industrial workmen of CPWD subject to the provision that it was not in any way effect the regularisation of muster roll employees who are to be classified as permanent workmen in the light of Hon'ble Supreme Court of India decision and provision of permanent/Temporary workmen in the I. D. Act 1947. I hold that the 'highly skilled' workmen reclassified above may be given the pay scale of Rs. 330—560 from 1-1-73.

(p) Regarding Staff Car Driver I hold the opinion that it is a common category of Ministries and Departments and this Arbitration is not made for such type of posts which are being managed at the Government level so I opined that categorisation of such posts will not be necessary for us.

(q) Radio Mechanic-cum-operator, Electrician, Pattern Maker, Sr. Sanitary Inspector, Work Assistant, Road Inspector, Head Gardner, Sr. Mechanic AC&R, Sr. Mechanic Lift, Sr. Mechanic and Sr. Operator.

All the above categories are promotion posts from feeding cadre of workmen already recommended for categorisation as highly skilled. These posts are of master craftsman level so I r commend them in the pay scale of Rs. 425—750 to be classified as highly skilled Grade III.

(r) Foreman Electrical, Foreman Mechanical, Foreman Lift, Foreman AC&R, Technical Operator, Supdt. E&M,

All these posts are of highly skilled Supervisory and are promotion posts amongst highly skilled grade III and so be given the pay scale of Rs. 550—800. All the workmen in the highly skilled grade II be promoted and given Selection Grade after 8 years of service and be placed in the pay scale of Rs. 550—900.

(s) I hold that demand of categorisation of different class of highly skill grade IV, III, II and I as per reference has been reduced to 3 grades two being functional grades and last being Selection Grade. The post of Surveyor, Work Assistant Selection Grade appearing at Item No. 6, Sr. Supervisor at Item No. 7 are not cadre posts of industrial workmen the industrial dispute of whom this arbitration are adjudicating so the same have been left out to be decided by Party No. 1.

(t) Regarding promotion avenues to the workmen I have the following opinion :—

At the lowest level that is 'unskilled' to 'semi-skilled' 'semi-skilled' to Selection Grade and semi-skilled/Selection Grade to skill, there should not be any trade test. There is also no necessity of trade test from Mate to Road Inspector and Sr. Mali to Choudhary.

(u) Regarding Ratio to be followed in Hort. Wing from Head Gardner to Mali should be 5 per cent, highly skilled (Choudhary, Floral Decorator (10+5 per cent), Sr. Mali 25 per cent and Mali 55 per cent. In Electrical Ratio should be from Foreman to Wireman 1 : 3 : 15 and between Sr. Mechanic and Foreman 1 : 3, Electrician posts should be created wherever sub-station of 250 KVA and above exists in addition to other installations like pump lifts, fire fighting etc. and have sub station of 750 KVA and higher foreman posts as above may be created for extending promotion opportunities to the lower formations. There need not be any trade test from highly skilled to Master craftsman i.e. Wireman to Electrician and Foreman Mechanic to Sr. Mechanic and Sr. Mechanic to Foreman. The supervisory licence of competancy is not required under law to be possessed by Electrician he being the workmen is only required to possess Grade II licence. In all the posts workers of 5 years of service shall be permitted in higher grade on the basis of seniority excepting 'highly skilled'. The Competitive Departmental test be conducted by training Institute. The test should be linked with intensive training. 75 per cent posts to highly skilled grade shall be filled in on the basis of seniority subject to qualifying trade test and 25 per cent amongst all categories of staff of CPWD possessing requisite qualification by way of limited Departmental Competitive Examination. There will be trade test only at the level of highly skilled and a person of the line having minimum 8 years experience shall be promoted on the basis of seniority subject to trade test to the extent of 75 per cent and 25 per cent posts at his level be filled in amongst serving departmental employees of all the categories possessing requisite qualification by way of limited departmental competitive examination. In all other functional posts persons from the feeding cadre shall be eligible for promotion after 5 years service on the basis of seniority. For the post of Mali there will be trade test amongst serving unskilled workmen having two years of regular service and experience in the line by way of qualifying Trade Test. All the posts of Selection Grade shall be given wherever provided after 8 years of service on the basis of seniority. All the opinion with regard to WC Estt. and Regular Classified Estt. above shall be if so facto applicable on their counter part in the muster roll estt. on the philosophy of equal pay for equal work. NTS in Laboratories shall get pay scale of Laboratory Assistant, NTS on Road work shall get pay scale of Road Inspector, Beldar/Khalasi performing the duties of Enquiry Clerk, Store Clerk shall get skill pay scale so on and so fore.

(v) The Arbitrators were also explained in oral Arguments by Party No. 2 that there is discrimination in issue of Uniform and age of superannuation, Leave etc. in the name of Muster Roll Estt. WC Estt. and Regular Classified Estt. in which connection I will only observe that in labour laws there are permanent and temporary workmen within the industrial workmen there cannot be discrimination in the age of retirement, issue of uniform benefits and facilities which Party No. 1 may take note of it in the light of Supreme

Court of India decision dated 21-8-87 allowing the application of Party No. 2 in the review petition No. 480/86 in case of Sh. Surinder Singh and other V/s. Engineer-in-Chief, CPWD and muster roll workmen as per I. D. Act 47 are already acting in the grade I therefore observe that regularisation is only classification and classification by grades on which there cannot be any discrimination. In the light of numerous judgments of industrial adjudicant as well as other judicial authorities.

(w) The Party No. 2 also requested to wage fitment of new pay scale from 1-1-86 after reclassification/recategorisation which I feel is a point to be settled incidental to the main dispute permissible under law

(x) I recommend that the re-classified and re categorised posts be fitted in new pay scales from 1-1-86 in the following manner :—

Category	Adjudicate pay scale 1-1-73	fitment in revised pay scale: 1-1-86
Unskilled	196-3-220-EB-3-232	750-12-870-EB-14-940
Semi-skilled	210-4-226-EB-4-250-EB-290	800-15-1010-EB-20-1150
Selection Grade	225-5-260-6-290-EB-6-308	825-15-900-EB-20-1200
Skilled	260-6-290-EB-6-326-8-366-EB-8-390-400	950-20-1150-EB-25 1500
Selection Grade	330-8-370-10-400-EB-10-480	1200-30-1440-EB-30-1800
Highly skilled	330-10-380-EB-12-500-EB-15-560.	1200-30-1560-EB-40-2040
Highly skilled Gr. III	425-15-500-EB-15-560-20-640-EB-20-700-25-750	1400-40-1600-50-2300-EB-60-2600
Highly skilled Gr. II	550-20-650-25-800	1600-50-2300-EB-60-2660
Highly skilled Gr. I (S.G.)	550-25-750-EB-30-900	1640-60-2600-EB-75-2900

Date of Effect

Recategorisation and reclassification and fitment of pay scales shall be applicable from 1-1-1973 and full back arrears the workmen are entitled to till date and onwards. In holding so I have pursued ration of law in the matter of classification in similar cases by Supreme Court in numerous cases wherein higher pay scales/arbitrary classification has been set aside and relief granted from 1-1-73 the date of classification which was in dispute.

I am very much appreciative of the realisation amongst the workmen to the natural calamity and their urge to standby National cause and desire of the workmen to contribute in Prime Minister's Relief Fund to deposit bulk of the amount in the GPF Account etc. etc. I hold that the demand of the workmen as contained in the resolution dated 13-9-87 is justified lawful and the same is conceded. It is my opinion that the Management of CPWD shall compute amount of the workmen as consequent of this Award from 1-1-73 to 31-1-88 and amount deducted as per percentage indicated in the resolution of the workmen and same be remitted accordingly by cross cheque. (which deduction is held legal by Hon'ble Supreme Court 1985-Lab-IC-242 Balmer Lawrie Workers Union Bombay and another V/s. Balmer Lawrie and Co. Ltd and Others).

Award of Shri M. G. Wanare, Umpire.

I find that on majority of issue, both the Arbitrators S/Shri G. K. Khemani and H. S. Vats held different views/opinion. However, I find that there is unanimity amongst them on placing all lift operators in the classification as "skilled" workmen in the pre-revised scale of Rs. 260—400 irrespective of operation of high or low speed lift. Thus all the lift operators stand categorised as "skilled" workmen in the pre-revised scale of Rs. 260—400.

I agree with the opinion of the brother arbitrators S/Shri G. K. Khemani and H. S. Vats.

There is also unanimity among both the brother Arbitrators S/Shri G. K. Khemani and H. S. Vats on merging of Assistant categories with full categories. The Assistant categories and full categories were earlier classified as "semi skilled" workmen in pay scale of Rs. 210—290 for Assistant Category and "skilled" classification for full category in the pay scale of Rs. 260—400. As per majority opinion both the categories of workmen stand merged, in the result the Assistant categories presently semi-skilled have been placed against classification as "skilled" category workmen.

Thus once all the Assistant categories are merged with full categories, I take up issue whether these merged categories should be classified as highly skilled or not as there is difference of opinion amongst brother arbitrators S/Shri G. K. Khemani and H. S Vats on this point. I find that presently workmen against full categories are treated as 'skilled" artisan as per CPWD Manual Volume-III. The issue before Arbitrators has been that whether merged categories (Assistant and Full categories) should be placed against highly skilled category or not. Shri Khemani Brother Arbitrator though agreed merging of Assistent categories with full categories, did not agree or recommend placing the merged category against highly skilled category.

I find from the pleadings of the parties that in the past it was agitated for placing workmen classified as "skilled" artisan as "highly skilled" artisan workmen. In the light of the fact that similar artisan workmen were placed and so treated as "highly skilled" category when they were engaged under the name and style as muster roll against workcharged establishment, for example a Carpenter engaged on muster roll was treated as "highly skilled" artisan, whereas a Carpenter engaged on W. C. Estt was categorised as skilled. Similar has been the case of Mason, Plumber, Fitter etc. The pleadings of Party 2 show that relief sought before the Judicial authorities was granted by classifying the concerned artisans as "highly skilled" and thus grant of relief to the workmen concerned accordingly was secured by litigation. The pleadings of the parties further disclosed that the High Court of Delhi examined these very issues. The High Court did not agree with the workmen being treated as skilled by Part No 1 but Delhi High Court confirmed categorisation as "highly skilled" done by the Judicial Authority i.e Athority under M. W Act. In effect the contention of classifying artisan as skilled as per CPWD Manual Vol III did not stand In this connection I rely on the Judgement of the High Court of Delhi dated 16th October, 1984 given in CW Petition No 2445 of 1984 between the Union of India through Executive Engineer 'F' Division CPWD, IP Bhavan V/s Authority under Minimum Wages Act and Others and judgment dated 27th May 1985 of High Court of Delhi in CW No 299 of 85 between Union of India V/s. Ravinder Pal and Others.

Apart from the above position the evidence adduced before the Arbitrators (vide evidence of MW-1, MW-2, MW-3 and UW-9) reveal that the workmen working in Assistant categories (semi-skilled) are performing same and similar type of job as is done or performed by the full category which is classified as 'skilled' category i.e. full category) The definition of Highly skilled' workman given in the notification issued by the Government of India S.O No. 749(E) dated 19-10-1983 vide Gazette of India dated 19th October, 1983 reads as 'means work which calls for a high degree of perfection and full competance in the performance of certain task acquired through intensive technical or professional training or practical work experience for long years and also requires of a worker to assume full responsibility for the judgment or decisions involved in the execution of these tasks". The evidence laid before the Arbitrators by both the parties undoubtedly show that the artisans are performing work with full competance on given tasks obviously as they have acquired high degree of skilled through intensive practical work experience for long years. It has also been placed before the Arbitrators by witnesses presented by both the parties that the workers when given task assumed full responsibility for the judgment involving in the executive of the task given to him from time to time. MW-3 agreed that the execution of task given to them is performed independently without any

supervision. This being the case, I find that description given under the notification attached to the Minimum Wages Act under the Head "Highly skill" answers fully and aptly. I therefore recommend that all the workmen artisan of the merged categories including other full categories may be treated and placed against classification of "highly skilled". I am unable to subscribe the views of brother arbitrator Shri G. K. Khemani. I am in agreement with the opinion of brother arbitrator Shri Vats. I award accordingly.

The workmen described as Bhisty, Frash and Beater are presently classified as "unskilled" workmen though under the statutory Notification issued under the Minimum Wages Act, the said workmen are classified as "semi-skilled". I cannot disagree with the opinion expressed by Shri H. S. Vats brother Arbitrator. I hold the view that this category should be classified as "semi-skilled". This is my Award on this count.

The question for opinion is whether the "unskilled" category (Rs. 196—232) namely Beldar, Chainman, Khalasi including Lifts, Forest Guard, Watchman Chowkidar and Cleaner should be categorised/re-classified as "semi-skilled" in the grade of that category existing in CPWD i.e. Rs. 210—290. I am of the opinion that the above categories are classified as "unskilled" and it does not warrant any change. This is my Award.

The next question is that Sweeper has been classified as "unskilled" workman. The claim of party No. II has been that all the Sweepers should be recategorised as "semi-skilled" workmen. The pleadings/arguments shows that the Sweepers are predominantly engaged on doing the wet sweeping job. The witness (MW-4) deposed that sweeping with set cloth requires higher degree of skill. This job is different from commonly understood job of sweeper who does sweeping on the roads, lanes etc. This is not done by the Sweepers engaged by Party No. I. It was brought out in the oral argument by Party No. II that Sweepers are mainly engaged in areas where VVIPs are residing/using the premises like Vithal Bhai Patel Bhavan, North Block South Block etc. This type of wet sweeping can be done only by those persons who have some knowledge and technique of using wet-broom/duster acids etc. for cleaning washing places like Urinals, Laterines, Floors etc. I am of the opinion that such a person needs certain degree of skill which is not possessed by a common workman (here a sweeper) who unless has performed and acquired some experience. I therefore hold the views that the sweeper doing the above job be classified as "semi-skilled" workmen. I am in agreement with Shri Vats Brother arbitrartor. I recommend accordingly. This is my Award on this point.

I find that Mali and Bullockman are presently categorised as "unskilled" workmen. The work of this category can be performed only when the workman concerned acquires certain degree of skill and experience. I find that categorisation Committee (1973) had examined the work of Mali. They expressed that work of Mali can be done only when certain degree of skill is acquired by the workmen concerned before he is called upon to do the job of Mali. The duties prescribed for (p-107 CPWD Manual Vol. II, 1972) are "to maintain and to drive the bullocks in the bullock movers and drive bullock carts etc. and who should work as Mali". This shows that the work performed either by Mali or Bullockmen involve certain degree of skill and also experience. I am thereof the opinion that Mali and Bullock man should be classified as semi-skilled workman. I reject the claim of the party No. II that Bullockman should be classified as "skilled" and Mali as "unskilled". I also do not accept the claim of party No. I that Mali should be classified as "unskilled" workman. I am in agreement with Shri H. S. Vats brother arbitrator. In the result our recommendation is that Mali and Bullockman should be classified as "semi-skilled" workman and we award accordingly :

On categorisation of the workmen namely Packer, Bhandani, Gharami, Fireman, Spec Stocker, Lab. Attendant, Challandar, Switchboard attendant, Dresser.

I have to record that they are presently classified as "semi-skilled" workman. I agree with Shri Vats brother arbitrator to the extent that their existing category as semi-skilled should continue to be as semi-skilled. During the course of argument it is brought to our notice that there are different type of scales of pay given to them though they fall in one category of "semi-skilled" with a view to have uniformity I recommend one scale of pay for them i.e. Rs. 210—290 pre-revised. I concur with views of Shri Vats on this aspect. We recommend accordingly.

It was vehemently argued that these category of workman in fact are dead end post and dying categories. To obviate frustration and preserve effeciency I recommend Selection Grade of Rs. 225—308 (pre-revised) to them after completion of eight (8) years service. I agree with Shri Vats on this score. This is award for these category of workmen.

The claim of Party No. II in respect of serviceman—AC&R to categorise him as "skilled" workman does not need consideration because this workman is Assistant category of Mechanic AC&R which have been decided herein above.

The category of workmen who are working as Jamadar in different employment/desciplines like Sanitation, Sweeping, Building, Frash work needs to be examined. I have already given my opinion hereinabove that Sweeper including Head sweeper Frash should be classified as "semi-skilled" workman. The jamadars are supposed to supervise the work of the above categories. I therefore feel that all Jamadars referred to above should be placed against next above scale and this will be in the interest of the Administration to secure proper and effective supervision of the persons concerned. I recommend these scale of pay Rs. 225—308 (pre-revised) of semi-skilled selection grade. This is my award.

The mate does the job of supervisor. It will therefore be proper to place him in the category of "skilled" workman. I agree with Shri Vats. This is our recommendation to award "skilled" category. Meter Readers and Guage Readers do the job of reading the meters which job certainly needs to be categorised as "skilled". The persons who have to do the job of meter reader and Gauge reader are not merely literate but they have to acquire certain knowledge, experience in addition to their own literacy. These persons are never recruited if they are illiterate. I therefore, hold the opinion that Meter Reader and Gauge Reader should be classified as "skilled" workmen. Cook need certainly a good degree of skill for doing his job. This is Promotion Post in the line of bearer who is semi-skiled. Therefore I am of the opinion that this workmen should be classified as "skilled" workman.

My opinion classifying of Readers (meter Gauge) Cook should be classified as "skilled" workman. This is in agreement with recommendation of Shri Vats arbitrator. This is our award for these categories.

Sewerman is presently classified as semi-skilled workman. This is a promotion post made available to the workmen who worked as Sweeper and acquire experience of skill. I have already held in foregoing para that Sweeper should be placed in the "semi-skilled" category. There is no difference of opinion that the ordinary workman or sweeper can work as sewerman unless or until he acquires special skill perhaps the special technique too, to do the special job of a sewerman. The evidence adduced before us (refer statement of witness UW-1) shows that workman can do the job of sewerman only when he acquires special skill. Ordinary Beldar, Khalasi or any other workman cannot do the job sewerman in absence of skill and technical knowledge about the drainage etc. This being the position on the face of evidence, it does not seem to be justified to place Sewerman against the category as "semi-skiled". I am unable to subscribe the views of brother Arbitrator Shri G. K. Khemani in this regard I agree with the views of Shri Vats. I recommend that Sewerman should be placed against the category of "skilled" workman. This is my Award in respect of Sewerman category.

The point relating to proper scale of pay to such of the workers who are deployed for doing the duties of enquiry clerk is before me for decision. Shri G. K. Khemani, Brother Arbitrator opined that this issue is within the compass of creation of posts of Enquiry Clerk and that creation of posts is beyond the purview of reference of the Arbitration. I do not subscribe to this view. The claim of the party No. II reveals from the pleadings as : -

"3.7 That on each enquiry, the post of Enquiry Clerk be created and earmarked for promotional avenue to the Industrial workers in the work charged/regular classified estabilshment and presently mus-

ter roll employees performing the duties of Enquiry Clerks be regularised. The type of work being performed by Enquiry Clerk can be acquireded by way of training and actual longer experience.

(Statement dated 13-1-87)

"3.7. The contention of the Management is denied. The submissions of the Union in the respective para in the initial petition are reiterated It is emphatically denied that the demand pertains to creation of post of Enquiry Clerk is a right of the employees of CPWD who are functioning as Enquiry Clerks on all the enquiries of CPWD but they are not given the pay and allowances of Enquiry Clerk. Moreover the demand of the Union is to make it a promotional post for WC/Regular Classified categories in the lower pay scales."

(Statement dated 13-1-87) ((Rejoinder dated 15-1-87)

This shows that creation of posts of Enquiry Clerk is not agitated but a relief is sought in respect of those workmen who have been called upon to carry out the duties of Enquiry Clerk on all the Enquiries of CPWD and that they are not paid due pay and allowances for the job performed by them. The claim and the pleadings further reveal that muster roll employees like Beldars etc. are deployed or called upon to do the job actually of Enquiry Clerk and such of the workmen are paid wages as admissible to either unskilled/semi-skilled category, though they are entitled to the payment of wages (time scale of skilled category which is pre revised Rs. 260-400) for the jobs performed. I find from the Notification containing Minimum rates of wages that the workers doing the above mentioned job are classified as 'clerical' grade. This work is treated as against category of 'clerical' within the meaning of the said notification and that the workmen concerned should be paid accordingly depending upon the qualification of matric and non-matric as the case may be. The employer is therefore duty bound to pay 'clerical' grades to those workmen who are called upon to do the job of enquiry clerk. The contention of Party No. 1 against para 3.7 on page 10 of their statement dated 8th April, 1987 is not correct and I agree with Shri Vats, Brother Arbitrator on this point.

The post of Boilerman has already been decided at Item No. 4 and its classification in Highly skilled Grade IV is also not maintainable. So the demand of the workmen for this post at Item No. 5 stand dismissed. I agree with Shri H. S. Vats, Brother Arbitrator.

I am in agreement with classification of different categories of staff with the opinion of Shri H. S. Vats, Brothers Arbitrator at item (e), (f) (g), (l), (n), (o) (p) (q) (r), (s), (t), to the extent of ratio fixed and in that respect award accordingly.

The work of all other posts appearing as classification at item No. 5 do exists against the classification claimed by Party No. 1 and these posts have been categorised as highly skilled/skilled supervisory as the case may be The point for consideration in case of Electrician is that whether or not the condition of possessing supervisory licence as is required under electricity rules is necessary or not and in all other posts including that of electrician. I have gone through the recruitment rules and duties prescribed for the post of Electrician. It is clear that the work of Electrician is not of supervisory nature and generally the duties performed by them are that of a workman. Therefore a condition to prescribe persons to possess Electrical Supervisory Certificate of Competancy (commonly known as licence) is not a statutory requirement. The pleadings of Party No. 2 has a force and it therefore sustains.

So far categorisation of foreman is concerned I observe that recruitment rules framed for foreman (Electrical) (p-94 of CPWD, Manual Vol. III-1984) shows that there is no trade test prescribed for the purpose of promotion to the post of Foreman—Electrical whereas there has been a provision for trade test as a pre-condition for the promotion to the pay of Foreman Boiler, Foreman Mechanic Foreman-AC&R. The posts of Sr. Mechanic/Sr. Operator, Boilrman. Sr. Mechanic AC&R are entitled to promotion post. For this purpose a Trade test has been as already stated above, is prescribed in the Manual. But a trade test for the promotion to the post of Foreman-Electrical has been done away with. Since the workmen to the post of Foreman come with sufficient experience and with statutory requirement wherever required, it is not understood why there should be a trade test prescribed for them for promotion. Since Foreman Electrical is standing on the same footing of foreman in other disciplines like Mechanical, AC&R, Boiler, Prescription of trade test in other disciplines does not seem to be justified. I recommend that trade test for the purpose of promotion should be done away keeping in view to bring the other posts at part with the post of Foreman-Electrical.

My recommendation coincides with the recommendation of Shri H. S. Vats, Brother Arbitrator. I agree with his views. My Award is given accordingly.

I find from the evidence (UW-7) that a worker, Beldar has been deployed almost over a decade in Laboratory at Calcutta. It was further observed that he was doing the duties of Machine Operator operating independently cube-testing machine in the Laboratory The Party Number I is not justified in extracting above mentioned work from a workman who has been classified as 'Un-skilled'. In case they do so it is not known why he is not paid accordingly. I award that such of the workman should be classified/categorised as Laboratory Assistant and should be placed on the category of skilled workman in the pre-revised scale of Rs. 260-430. I agree with Brother Arbitrator Shri H. S. Vats in this regard. This is my Award.

Promotional Avenues :

It will be essential to consider the matter relating to promotions from one category to another category to avoid frustration and preserve and maintain efficiency amogst the workmen against different categories It pains me to record that despite repeated requests there is an absence of proper statistical data from the parties. It would be difficult to forecast accurately or scientifically the ratio of promotion which has been claimed and agitated vehmently by the Party No. 2. This situation needs remedial measures. I am of the opinion that there should be some mechanism introduced in this Award to meet the claim of the Party No. 2 and also to preserve the interest of Party No. 1, particularly keeping in view all the thrust on maintenance or productivity and efficiency. The Party No. 2 has been agitating their claim for a long time. The claim of Party No. 2 before Arbitrators is that whether workmen should be given promotion to the next category after completion of '3 years' of service and whether there should be a trade test for this purpose.

The evidence (MW-5) suggests that an unskilled workman acquires some skill after 3 years work. There is a force in the workers claim. Evidence cannot be brushed aside. I am, therefore of the opinion that unskilled workman need certainly some time to acquire experience or certain degree of skill which otherwise an ordinary person may not possess. Experience of 5 years would give edge over new recruits who can classified as "Unskilled". The evidence (of UW-6) shows that unskilled workman render assistance/help to artisans who perform duties of semi-skilled. Arguments/pleadings by Party No. 2 shows that 'unskilled workman are generally deployed as helper or assistant to the artisans. Helpers to artisans are classified under Minimum Wages Act as 'semi-skilled'. Any reasonable person cannot hold helper to artisans as 'unskilled'. The present classification as 'unskilled' to me is not justified. I therefore feel that after putting 5 years of continuous service unskilled workmen like Beldar, Khalasi, Helper, cleaner etc. should be placed under 'semi-skilled' category if the unskilled workman has been deployed generally to help artisan. In view of this, the doctorine of equal pay does not come into play as claimed by Party No. 1. I award accordingly.

It has been argued that Chowkidar performing night duty are presently categorised as 'unskilled' under Minimum Wages Act Notification 'Night Guards' are classified as 'semiskilled'. It is, therefore, justified to categorise them as

'semi-skilled' as they perform arduous and onerous duties while doing Night Guarding jobs. Therefore, doctorine of equal pay is not attracted. I Award accordingly.

My recommendations are in effect that the workman who classified as 'unskilled' category should be placed under 'semi-skilled' category in the light of the above observation when the workman complete the 5 years regular/continuous service.

While allowing this arrangement of upgradation/classification from 'unskilled' to 'semi-skilled', there need not be created additional vacancies against 'unskilled' categories. In case the upgraded workmen vacates his post to join any other category by any method or otherwise, he will be vacating 'unskilled' category which has held before.

Under CPWD Manual specific ratio has been provided for helper to artisan e.g. one person against two with wireman. It is Party No. 1 who has to maintain this ratio which is existing in the Manual against relevant category. This would remove fear of Party No. 1 as has been expressed in their pleadings that a time will come when there will be all semi-skilled persons and none will be available as unskilled. This is hypothetica situation. The above observations has been made to remove the apprehensions.

The Party No. 2 claimed that Sr. Mali should be placed under 'highly skilled' category as per reference. Subsequently the Party No. 2 prayed in their pleadings that they would like to place the Sr. Mali against the category as 'skilled' and also to include flora decorator therein. The Party No. 1 rejected the contention of Party No. 2. I find in the result tha tthe status of senior Mali should be adjudicated as per reference. In this connection I refer to the opinion at (K) of Shri H. S. Vats, Brother Arbitrator in this regard. I agree with him that Sr. Mali should be placed against the category of 'skilled' workman. I find this is promotion post for Mali who fall in 'semi-skilled' category. I Award that Sr. Mali be placed in category of skilled workman.

Different cadre promotions

The claim of party No. 2 has been that all the promotional posts should be made available to departmental existing workmen on the basis of seniority and there shoud not be any direct recruitment. The Party No. 1, contended that this claim is beyond competence of Arbitrators. I do not agree with views of Shri G. K. Khemani Brother Arbitrator. The claim of party No. 2 is nothing but only an incidental matter directly connected with the condition of service of the workmen. I feel the Arbitrators are competent to adjudicate upon this claim.

The Party No. 2 relied upon the quota system for direct recruitment as laid down in the CPWD Manual Vol. III (1984). I cannot accept the claim of Party No. 2 for a total probhibition on direct recriutment, which is essential for any administration to function efficiently. At the same, the Party No. 1 is under obligation to provide reasonably satisfactory avenues for progress of their own existing workmen. I find the quota for direct recruitment against various categories varies from 100 per cent to 25 per cent.

I am unable to persuade myself to accept the views/opinion of Brother Arbitrator Shri H. S. Vats. I feel that a general rule to lay down a quota direct recruitment would satisfy the ends of justice. I have gone through each of category of workman and examined quota system. I recommend that not more than 25 per cent with exception for cable jointer and boilerman direct recriutment should be allowed to preserve the interest of present set of workmen and also to meet the need of the Party No. 1. The following categories should not have more than 25 per cent direct recruitment :—

Mason, Carpenter, Plumber, Lift Operator, Fireman Driver Motor Lorry and Road Roller, Sr. Mechanic AC&R, Sr. Operator.

I recommend 50 per cent direct recruitment for cable jointer and Boilerman.

This is my award.

Regarding classification and gradation of Surveyor is concerned neither Party No. 1 nor Party No. II have given any material facts or pleadings. I agree with Shri H. S. Vats, Brother Arbitrator in showing inability to give our award in this regard.

I agree with Shri H. S. Vats, Brother Arbitrator that the post of Supdg. (E&M) is a highly skilled supervisory post of Selection posts for lower cadre. I also agree with Shri H. S. Vats, Brother Arbitrator for amalgamation of posts for the purpose of classification and grade pay of the above posts.

Works Mistry Electrical, Civil presently placed in skilled category of Rs. 260-430 pre-revised. The workmen of this category are comparable with work-assistant who have been placed by me against Highly skilled Grade III Rs. 425-750. I find from evidence (UW-10) that there is justification of change of the grade of Work Mistry. I recommend to place them in highly skilled Grade III of Rs. 425—750 pre-revised. This is my award.

This award will apply to all the workmen irrespective of the fact whether they are employed and described under the name and style of Workcharged, Regular Classified Estt. and Muster roll employees as the CPWD workmen before us are industrial workmen.

During the course of oral argument the Party No. 2, draw our attention that Party No. 1 is superannuating the workmen at the age of 58 years. They are entitled to be superannuated at the age of 60 years being the industrial workmen and that some categories of workman are issued uniform and some are not on the plea of nomenclature like Work Charged Regular Classified and Muster roll and contended that it is discriminatory treatment and in support of their contention our attention was also invited to the Government letter No. 66/339/57/WAC dated 26th March, 1958 alongwith the note for consideration placed therewith (document filed by Party No. 1)

I share anxiety expressed by Party No. II. I wish the Party No. I would not allow any discrimination which will affect adversely the interest of CPWD workers before us who are industrial workers so as to give rise to the grievancies on this count as mentioned by Party No. II.

Effect of the Award

The Party No. 2 advanced the claim of grant of relief from 1-1-73 from which date 3rd Pay Commission's recommendation were made effective. During the course of pleadings/arguments the Party No. II vehemently asked for benefits, w.e.f. the 1st January, 1973 which in fact was said to have been discussed before signing/arriving at Arbitration Agreement during the course of various meetings held with them and before the conciliation officer. My learned Brother Arbitrator Mr. G. K. Khemani recommended effect of Award to take place from 1-1-86 from which date recommendations of 4th Pay Commission have been made effective. I find that this date has no relevance. Therefore I am unable to agree with the views of making the Award effective from 1-1-86. The Arguments of the Party No. I that the effective date in this regard may not be 1-1-73 because it will up-set the settled position. This aspect of argument of Party No. I however need thorough examination. The opinion of Shri Vats brother Arbitrator has some rational and force.

I have also examined opinion of brother Arbitrator Shri H. S. Vats making Award effective from 1-1-73.

The very fact that the workmen were entitled to reclassification and recategorisation shows that there have been a justified case in favour of the workmen for getting them reclassified from retrospective effect which position cannot be ignored. I have applied my mind to the pleadings and the arguments of both the parties and also views of both the brother Arbitrators on this point. I am of the opinion that this Award should be made effective from 1st April, 1981 for the purpose of payment of arrears that may arise as a result of change in category of the workmen. I feel this is fair and justified date of effect of award for paying arrears only.

This award however shall be effective from 1-1-73 for all purposes other than paying of arrears. The workers will not get any arrears of wages from 1-1-73 to 31-3-81 They would however get pay protection in accordance with the notional fixation of their pay against their relevant changed categories as recommended by Shri H. S. Vats, Brother, Arbitrator I award accordingly.

After having allowed benefit of pay etc. from 1-4-81 the subsequent benefit would also be flown from 1-1-86 on the revised pay scales allowed by 4th Pay Commission.

During the course of pleadings the Party No. 2 pleaded that the workers would offer 50 per cent of arrears of wages to be deposited against their respective GPF accounts/National Saving Certificates etc. I wish this should be accepted unhesitatingly by Party No. 1 as this is in the interest of National economy.

It is laudable proposal on the party of the Party No. 2 that 5 per cent of the arrears payable to the workers should be deposited in the Prime Ministers Relief Fund for the purpose of using it for drought relief purpose. I wish the Party No. 1 should not have any difficulty to accept the same.

The Party No. 2 has pressed their claim for compensation cost equivalent to 15 per cent of arrears of wages payable to workmen. The Party No. 1 has not rejected nor objected this prayer. During the course of arguments our attention was invited to the case law laid down by Hon'ble Supreme Court in the case of Balmer Lawrie Workmen Bombay and another V/s. Belmer Lowrie and Co. Ltd. and others (1985-Lab. I.C. 242 SC) according to which it was held that deduction of 15 per cent of amount of arrears payable to workmen towards Union Fund was legal. The Supreme Court observed that there is nothing obectionable to effect deduction from arreasr of wages flowing from settlement etc. In the light of case law referred to hereinabove, the claim of the Party No. 2 does not seems to be illegal. I feel a token of 5 per cent of arrears may be allowed.

Party No. 1 is directed to intimate each wrokman of the actual amount deducted and remitted to Provident Fund and drought relief fund etc. to the each of the workmen and the Party No. II.

I wish to place on record our appreciation for the cooperation received from the CPWD Administration and the Union for doing this job. We have been helped by the clerical assistance through Shri Ram Kumar who caused smooth day to day proceedings.

M. G. WANARE, Arbitrator/Umpire

G. K. Khemani, Arbitrator

H. S. Vats, Arbitrator

Dated New Delhi, the 31st January, 1988.

Dear Shri Wanare,

As requested in the meeting held on 25-1-1988, my findings about the demands of the CPWD Mazdoor Union which have been referred for Arbitration are given in the enclosed seats. This may please be considered before giving your final award as required under the Arbitration Agreement.

Yours sincerely,
G. K. Khemani

Shri M. G. Wanare,
Deputy Chief Labour Commissioner,
Ministry of Labour,
Sharam Shakti Bhawan, New Delhi.

Government of India, Ministry of Labour vide their Notification published in the Gazette of India on 31st October, 1986 had referred an industrial dispute between the management of C.P.W.D. and the workmen belonging to C.P.W.D. Mazdoor Union for arbitration by the Board of Arbitrators consisting of Deputy Chief Labour Commissioner, Secretary of the C.P.W.D. Mazdoor Union and the undersigned. The matter of arbitration was about the demands of C.P.W.D. Mazdoor Union regarding re-categorisation/re-classification of work-charged staff and regular classified categories w.e.f. 1st January, 1973. The C.P.W.D. Mazdoor Union has put their demand vide their petition dated 13th January, 1987. The C.P.W.D. Management had filed their reply vide their rejoinder dated 8th April, 1987. Subsequently, the Board also met some of the officers of the Department, the workmen of the department and based on these discussions my findings on the demand of C.P.W.D. Mazdoor Union are as under :—

1. The Union has demanded that all Beldars, Bhisties, Khalasies, Malies, Sweepers, Cleaners, Forest Guard, Waterman, Chowkidars, Bearers, Chainman, who are at present classified as unskilled workman should be automatically converted and paid for in the scale of semi-skilled to Rs. 210—290 (old scale) when they complete 3 years of service. This contention can not be accepted as the workman even after put in number of years of service continue to do the same type of work which he was doing after appointment. Therefore, in accordance with the doctrine of equal pay for equal work, we cannot give him the scale of semi-skilled workman. Even otherwise a large number of above categories of workmen are doing the work of only un-skilled nature. No evidence was brought out before us that showed that every worker picks up the work of artisan after he/she has put in 3 years of service. It is also not necessary that all categories of un-skilled workmen will pick up the work of artisans after they have put in 3 years of service. In any case as per recruitment Rules any workman who has picked up the skilled/semi-skilled work can always appear for trade test and get promoted for the vacant post of semi-skilled/skilled worker after putting in 3 to 5 years of service. Therefore, this demand of the Union cannot be accepted.

2. Similarly, the demand of the Union for Automatic promotion of the left over categories of work-charged and regular establishment cannot be accepted as per the argument given above.

   The Union has also included the Sweeper, Gestetner Operator, Head Sweeper, Farash Bhisti and Lift Khalasi also to be included for the benefit of the automatic promotion. On the analogy of other above demands of the Union, this demand of the Union is also, therefore, not accepted as no evidence was made available that these workmen are doing any work of semi-skilled nature.

   The Union has demanded creation of post of Head Chowkidar. As this is not covered in the reference made by Ministry of Labour and as no evidence about necessity of work in Department was brought forward, no recommendation in this regard.

3. The Union has demanded that the following categories of workman after they have put in 3 years of service should be given selection grade in the pay scale of Rs. 260—430 (old scale).

   Bullockman, Mate, Syce, Picker, Stocker, Bandhani, Gharmi, Serviceman Air-conditioning and Refrigeration, Head Sweeper, Sanitary Jamadar, Building Jamadar, Fireman, Cook, Farash Jamadar, Lab. Attendant, Cook Bearer, Challan Gurad, Reader, Meter Reader, Sewerman, Switch Board Attendant, Lift Operator (Light Speed Lifts), Dresser.

   Some of these categories do not find their mention in the original Notification issued by the Ministry of Labour dated 31st October, 1986, as also some of the categories may not be existing in the Department. As it is beyond our terms of reference to create new posts, no finding is given on this account.

   The demand of the Union that all the workmen working for more than 3 years should be given the grade of the skilled category is also not tenable as they continue to do the work of semi-skilled nature. No evidence has been brought out before us to indicate that a high degree of skill is required for these posts to be declared as skilled. Besides normally selection scale is given only in those posts where there an acute stagnation. No evidence was produced to indicate stagnation in these posts.

The Union has also demanded the old scale of Rs. 260—400 for the Lift Operator for low speed Lifts Recently, the Supreme Court has categorised all the Lift Operators irrespective of speed of the Lifts as skilled workman and therefore we have no other alternative but to fix them in the skilled scale of Rs. 975—1540.

The Union has further demanded that all Sewerman should be classified as skilled workman It is felt that considering the nature of duties performed by Sewerman, no change in the existing categorisation is called for and he should continue to be put in the semi-skilled grade of Rs. 800—1150. No evidence that work involed is of skilled nature was brought before us.

The Union has further stated that the post of Enquiry Clerk, Valveman should be created. The creation of posts is beyond the scope of Board of Arbitration as also does not form part of reference made by Ministry of Labour. No award need be given on this account.

Similarly, the post of Mate, Head Sweeper, etc. which the Union has demanded to be created in the department, is beyond the scope of Board of Arbitration.

4. The Union has demanded that all workman presently designated as semi-skilled should be designated as highly skilled workman. Considering the nature of the duties as well as the nature of the work in the department there is no justification to declare all these workmen as highly skilled. No evidence was brought before us to indicate that these workmen are doing highly skilled work. In fact they are only doing the work of skilled category as defined in Minimum Wages Act "as one which involves skill or competence acquired through experience on the job or thorough training as an apprentice or in a technical or vocational institute or the performance of which calls fo 'initiative and judgement". The contention of the Union that Minimum Wages Act provides for these categories to be declared as highly skilled is not borne out by facts and on going through the Act itself.

It was however, brought out in evidence that the work of main and Astt. category is more or less similar and except that difficult jobs are executed by main category. We therefore, agree that Assistant and the main categories may be merged together and all workmen on promotion from un-skilled categories or appointment from the open market should initially be appointed in the semi-skilled category and after working for 5 years under the direct supervision of skilled worker, as provided for in different Recruitment Rules, be promoted to the main category. No other change in this regard is required. All these workmen are also categorised under the Minimum Wages Act both in the semi-skilled and skilled grade and therefore, the present classification as per C.P.W.D. departmental categorisation, is correct.

The Union has demanded that highly skilled workmen be appointed on the basis of 25 per cent by way of Limited Departmental Competitive examinations and 75 per cent on the basis of seniority. This item is not covered under the terms of reference of for Board of Arbitration and should be left to the Department. No evidence also was brought forward to give any finding on this account.

The scrapping of requirement of licensing for the electrical staff has been demanded by Union This item is also not covered by the Arbitration and no evidence that this is not required was brought out.

5. The Union has demanded creation of certain posts of electricians, Sr. Mechanic Air-conditioning and Refrigeration, Sr. Mechanical, Sr. Operator, Pattern Maker, Boilerman, Work Asstt. Road Inspector, Head Gardner etc. As the Arbitration agreement does not provide the matter regarding creation of any additional posts, the question of considering this demand does not arise. Also no evidence about the necessity of these posts was brought out.

The Union has further demanded the supervisory licence required for electricians should be done away. As the possession of licence by electricians is statutory requirement, this cannot be agreed to. Apart from above, this item does not figure in the Arbitration agreement and no evidence that this is not necessary was brought out.

The Union has further demanded that after creation of new posts the criteria for promotion to these posts should be 100 per cent on the basis of seniority. This item is also not covered with in the Arbitration agreement.

The Union has further stated that the old scale of Rs. 330—480 for highly skilled workman is unjustified. No justification for their demand has been indicated nor any evidence brought out. The present classification of the workman is based on the study carried out by categorisation committee and considering the nature of the work performed by workers each category have been properly fitted. The requirement of the work in the department has been considered very carefully while fitting the category to which the staff should belong to. This categorisation is also strictly and conformity with the classification given in the Minimum Wages Act

The Union has further demanded that the maintenance of Lifts, refrigeration and electrical wiring, sweeping etc. should be got done departmentally. This item is also not covered by the Arbitration Agreement.

The Union has also demanded that all workmen in highly skilled grade IV be drafted by way of 100 per cent on the basis of seniority. This item is also not included in the Arbitration Agreement.

6. The Union has demanded creation of certain posts of Foreman (Electrical Mechanical) Air-conditioning and Refrigeration, Radio Mechanic-cum-Operator, Work Asstt. Selection Grade, Sanitary Inspector, Cinema Operator, Surveyor, Asstt. Radio Mechanic-cum-operator, Foreman (Lifts), Foreman (Hort.), Foreman in all disciplines. As this matter is the creation of new posts, is beyond the scope of Arbitration Agreement. Also no evidence about the necessity of these posts in the Department has been brought out.

The Union has demanded promotion to the highly skilled grade III on the basis of 100 per cent seniority. As this is not covered by Arbitration Agreement, no finding can be offered.

Foreman in Railways and Delhi Flood Control getting higher grade has no relevance as the work to be carried out by the workers in C.P.W.D. is completely different from the works being carried out in other departments and comparison can not be made.

7. The Union has further demanded that technical operator, Senior Sanitary Inspector, Engineer Supervisors should be given highly skilled grade III after they put in 3 years of service. As there is no work requiring such scales in the department and these posts do not exist. The question of arbitration for these posts does not arise No evidence about the requirement of these posts in the department has also been given during the proceedings.

The Union has further demanded that classification of highly skilled grade II. All persons holding highly skilled grade II should be automatically promoted from highly skilled grade III. As this item involves creation of new posts this is beyond the scope of Arbitration. Also no evidence was brought forth about the necessity of these posts in the Department

8. Union has demanded that Superintendent E&M and other staff of highly skilled grade II should be automatically promoted as highly skilled grade I after they have put in 3 years of service. As already stated this involves creation of new posts which do not exist in the department and for which there is no work in the department. No evidence was also also produced. Therefore, the demand of the Union cannot be accepted.

9. The Union has also demanded that the above classification of pay scales and creation of new posts should take effect from 1st January, 1973. As stated earlier the original re-categorisation of the departmental workers has been carried out by the Categorisation Committees properly and with the help of experts in the field who are well versed in the working of the department. No new techniques or equipments have been added in the department to justify any changes in categorisation. The demand of the Union that the pay scales and new posts should be created from 1st January, 1973, therefore is not tenable. The departmental offices have also not felt the need for re-categorisation of any category of workers. No evidence was also brought out by Union. Apart from above the demand of the Union also was referred to Arbitration as per agreement reached between the Management and the Union somewhere in 1985. Therefore, the demand for applying the new classification from 1st January, 1973 does not arise. The Fourth Pay Commission has given its recommendation w.e.f. 1st January, 1986. It is therefore necessary that our award should also be applied w.e.f. 1st January, 1986.

Dated : 27th January, 1988.

G. K. KHEMANI, Arbitrator

OFFICE OF BOARD OF ARBITRATORS SHRAM SHAKTI BHAVAN, NEW DELHI-110001

List of document filed by C.P.W.D. Administration

1. CENTRAL P.W.D. MANUAL
(WITH APPENDICES)
VOLUME I
(Chapters 1, 2, 3 and 4)
1956

2. C.P.W.D.
Manual
VOL. III
WORK CHARGED ESTABLISHMENT
1984 Edition
Published under the Authority of the Director General of Works, C.P.W.D., New Delhi.

3. Report
Of the
Committee for Categorization
Of the
Workcharged Staff
Of the
Central Public Works Department
1973
Ministry of Works & Housing
New Delhi.

4. NS II Section

Recruitment Rules for the posts upto Sectional Officer (Hort) in the Directorate of Horticulture Isolated posts & posts transferred from W.C. Estt. to the regular Estt.

5. Ministry of Works, Housing and Supply letter No. 66/339/57/WSE., dated 26/3/1958 regarding WC Estt.—Transfer of certain categories of post to the Regular Establishment—with Notes for consideration dated 29-12-1970.

BEFORE BOARD OF ARBITRATORS C/O CHIEF ENGINEER (ELECTRICAL), C.P.W.D., VIDYUT BHAVAN, SHANKAR MARKET, NEW DELHI

In the matter of Arbitration Agreement under Section 10(A) of the Industrial Disputes Act, 1947

(Vide Ministry of Labour Notification No. L-42013/1/86-D II(B) dated 31st October, 1986 & L-42013/1/86-D.II(B) dated, 7th November, 1986)

In the matter of Industrial Disputes

No. Arbitration/86/CON. 1

BETWEEN

Director General (Works),
C.P.W.D. Nirman Bhavan,
New Delhi.

(Through its Director of Admn ...Employers/Management

AND

C.P.W.D. Mazdoor Union,
E-26, Raja Bazar, DIZ Area,
Baba Kharak Singh Marg,
New Delhi

Through its General Secretary ...Workmen/Applicant

List of Documents :

1. Decision of Authority under Minimum Wages Act, Kanpur dated 10th October, 1985 in the claim application No. MWA 11/83 between Shri Ravinder Pal, MLD and Shri Rajpal Khalasi, CPWD, New Delhi Vs DGW, CPWD, Nirman Bhavan, New Delhi.

2. Affidavit in C.W. No. 299 of 1985 on behalf of Union of India and others Vs. Ravinder Pal and others in Delhi High Court.

3. Decision of Delhi High Court in CW 299 of 1985 dated 27th May, 1985.

4. Reply of Shri Ravinder Pal and others in CW No. 299/85 dated 9th April, 1985 in Delhi High Court.

5. Decision dated 15th April, 1986 of Authority under M.W. Act, 1948, Kanpur in Claim Application No. MWA 28/85 between Khairati Lal and others Vs. Executive Engineer, Dr. R. M. L. Division, CPWD, New Delhi.

6. Decision dated 29th August, 1984 of Authority under M.W. Act, 1948, Kanpur in Claim Case No. MWA 2/84 between Vijay Pal, Carpenter and others Vs. Executive Engineer, 'F' Division, CPWD, I.P. Bhawan, New Delhi.

7. Decision dated 16th October, 1984 of High Court, Delhi in C.W. No. 2445 of 1984 between Union of India through Executive Engineer, 'F' Division, CPWD, I.P. Bhavan, New Delhi Vs. Shri I. S. Rao and others.

8. Circular No. 17(2)/80-A&C (DGW) dated 27th December, 1982 from the office of DGW, CPWD on the subject of minimum rates of wages.

9. DGW, CPWD, O.M. No. 23/12/83-EC.X dated 5th July, 1985.

10. DGW, CPWD O.M. No. 23/12/83-EC.X dated 23rd April, 1984 regarding payment of wages to different categories.

11. DGW, CPWD O.M. No. 23/12/83-EC.X dated 5th January, 1985 regarding payment of wages to different categories of labour employed on muster roll in CPWD.

12. CPWD Mazdoor Union letter No. CPWDMU/MWA/48/82 dated 9th March, 1982 to DGW, CPWD regarding employment in construction or maintenance of roads in building operation—payment of wages.

13. DGW, CPWD, O.M. No 23/12/83-EC.X dated 10th July, 1985 regarding payment of wages to different categories of labour employed on muster roll in CPWD.

14. Gazette Notification of Government of India in the late Ministry of Labour and Rehabilitation, Department of Labour and Employment No. S.O. 247(E) dated 25th April, 1973.

15. Gazette Notification of Government of India, Ministry of Labour No. S.O. 3613 dated 16th December 1978.

for and on behalf of workmen
Sd/-
(B. K. Prasad)
General Secretary,
C.P.W.D. Mazdoor Union

Dated the 5th May, 1987.

ANNEXURE -1

The Secretary,
Ministry of Labour,
Government of India,
NEW DELHI.

In the matter of Arbitration Agreement under Section 10(A) of the Industrial Dispute Act, 1947.

(Vide Ministry of Labour Notification No. L-42013/1/86-D-II(B) dated 31st October, 1986 & L-12013/1/86-D-II(B) dated 7th November, 1986).

In the Matter of Industrial Dispute

BETWEEN

Director General of Works,
CPWD, Nirman Bhawan, New Delhi.
Through its Director of Administration ...Employers/Management

AND

CPWD Mazdoor Union,

E-26, Raja Bazar, DIZ Area,
Baba Kharak Singh Marg, New Delhi
through its General Secretary.—Workmen/Applicant

The dispute is already before the Board of Aribtration consisting of :

1. Shri M. G. Manare,
Dy. Chief Labour Commissioner (Central),
Sharm Shakti Bhawan, Rafi Marg,
New Delhi. —Umpire

2. Shri G. K. Khemani,
Chief Engineer (TRC),
C.P.W.D., Training Institue,
'E' Wing, Nirman Bhawan,
NEW DELHI.

3. Shri H. S. Vats,
Secretary, C.P.W.D. Mazdoor Union,
E-26, Raja Bazar, Kharak Singh Marg,
NEW DELHI.

Whereas the Board of Arbitration is required to submit thier Award by 30-4-87, as per the Ministry of Labour Notification above referred to unless the time limit is extended by mutual agreement between the two parties.

And whereas due to administrative and other delays it may not be possible for the party of the first part to submit their claims and objections so as to enable the Board to submit the Award by that date. Now therefore the two parties hereby agree to the extension of the period for submission of the Award by the Board by a period of 6 months from 30-4-87. 30-1-87.

Sd/-

S. RANGNATHAN, Director of Admn. C.P.W.D
New Delhi.

Sd/-

(B. K. PRASAD)
General Secretary CPWD Mazdoor Union
New Delhi.

BEFORE BOARD OF ARBITRATION

E-Wing, CP.W.D., Training Institute, Nirman Bhawan
New Delhi

In the matter of Arbitration Agreement under Section 10(A) of the Industrial Disputes Act, 1987

(Vide Ministry of Labour Notification No. L-42013/1/86-DII(B) dated 31st October, 1986 & L-42013/1/86-DII(B) dated 7th November, 1986).

In the matter of Industrial Disputes

No. Arbitration/86/CON. I

BETWEEN

Director General (Works),
C.P.W.D., Nirman Bhavan,
New Delhi.

Through its Director of Admn.—Employers/Management

AND

C.P.W.D. Mazdoor Union,
E-26, Raja Bazar, DIZ Area,
Baba Kharak Singh Marg,
New Delhi.

Through its General Secretary—Workmen/Applant

Statement of claim of C.P.W.D. Mazdoor Union on behalf of workmen of C.P.W.D

To

The Hon'ble Arbitrator (Umpire) and

His companion Arbitrators of the Board of Arbitration

The humble petition of workmen herein most respectfully

SHOWETH :

JUSTIFICATION OF DEMANDS

The management of C.P.W.D. have not classified/categorised different post according to job content with the result on the one hand there have been depletion in the efficient discharge of work and on the other hand due to acute stagnation in services and to lock of proper cadre management, rampant discontentment amongst workmen of CPWD have arisen. Even the Categorisation Committee appointed after the 2nd Pay Commission as well as Categorisation Committee appointed after Third Pay Commission reports, both the committees have failed to properly classify/categories the different posts and their recommendations have also been self-contradictory. The recommendation of both the so called Categorisation Committee have themselves mentioned such contradictions and misuse with a view to exploit the work-force which will clearly indicate that the nature of duties and type of activities undertaken by different workmen have not been properly analysed to involve the workmen of CPWD firstly in the task of health of the organisation and secondly to rebrush image of the Department which is the main reason that different works are going out of hand of the organisation. Similarly adverse comments have also been given at different forums including Parlimentary Committee, the reasons being that in other organisations doing similar type of works like International Airport Authority, N.D.M.C., D.F.S.U., Delhi Flood Control & Institutes under I.C.A.R are having better pay scales and most of these works has been transferred from CPWD itself. Though the workmen of CPWD do fall under schedule employment of the Minimum Wages Act, 1948, in the classification/categorisation the basic division of different status have not been taken into account while classifying/categorising different posts/work The management of CPWD and Categorisation Committees appointed by them have always categorised one type of employees doing the same work in two parts viz Semi-skilled category and skilled where as according to definition given under Minimum Wages Act, 1948, they fall in the highly skilled category Similarly, though workers in the civil and horticulture do perform higher responsibilities and discharge duties comparable to particular level in the electrical, air-conditioning etc. but are not given pay scales and promotional posts thereby discriminating in the same industry under the same management The employees of CPWD are workmen as defined in Industrial Disputes Act, 1947 and CPWD is any industry controlled by Central Government is the appropriate Government as per Industrial Disputes Act, 1947 and

employee performing similar duties, functions and jobs under the Central Government/State Government/local authorities getting more pay scales than the workmen of CPWD is discriminatory, unlawful and violative of labour laws as well as Constitution of India (Artile 39(d)& 16 of the Constitution of India). As at International Airports, ICAR, there are two types of employees viz of International Airport Authority and of C.P.W.D. performing similar and same type of job whereas there is difference in pay scales and benefits. In International Airport Authority persons performing similar duties get higher pay scale and in the institutes under ICAR there is five yearly assessment and guaranteed promotion and higher scale without reference to posts. It will, thus, be amply clear that the disputes of CPWD workmen for re-categorisation/re-classification from 1-1-1973 is just, genuine and justified under labour laws.

DEMANDS

1.1 Presently the following posts/employments falling under Schedule Employment of Minimum Wages Act, 1948 have been categorised as unskilled in the pay scale of Rs. 196-232 w.e.f. 1-1-1973 after the recommendations of 3rd Central Pay Commission arbitrarily, unlaterally and unscientifically by the socalled Categorisation Committee appointed by the then Ministry of Works & Housing.

Workcharged Establishment:

1. Beldar
2. Bhishty
3. Bullockman
4. Chainman
5. Khallasi
6. Mali
7. Sewerman.

Regular Classified Establishment :

1. Khallasi.
2. Forest Guard
3. Sweeper
4. Head Sweeper
5. Farash
6. Bhishty.
7. Lift Khallasi
8. Cleaner
9. Bearer
10. Assistant Cook Bearer
11. Waterman
12. Chowkidar.

1.2 That in the Arbitration Agreement referred to above following was jointly agreed upon for adjudication: Beldar, Bhisties, Chainman, Khallasi, Mali, Forest Guard, Sweeper, Cleaner, Waterman, Chowkidar, Bearer.

All the categories mentioned above, the incumbents of the posts having served for three years shall automatically be converted and paid in the scale of Rs. 210-290 in the present case who were in service on 1-1-1973 be given this time scale w.e.f. 1-1-1976.

1.3 That the category of Bhistie, Sweeper have since been mentioned in Item No. 2 of the Arbitraion Agreement referred to above and here mentioned erroneously by the union; it is, therefore, humbly prayed that the Board of Arbitrators be kindly pleased to treat it as withdrawn from Item No. 1, reproduced above. The left over categories mentioned above be only considered for categorisation/classification as Untrained Unskilled workmen.

1.4 Other employment and their incumbents in the left over existing categorisation of the management of CPWD have been subsequently mentioned in the semi-skilled, skilled and highly skilled categories in the Arbitration Agreement referred to above, justification in that regard would be submitted in the respective Paragraphs.

1.5 That the incumbents of the above posts of unskilled category equip themselves with the requisite experience and have become abrupt with the knowledge of different instruments, their use, seeds, names of different plants and other intermediary knowledge of the work on which they are employed and so become more helpful to the skilled, highly skilled and other categories of staff with whom they are assistant or more helpful on the works in the efficient discharge of their duties on which they are employed and to encourage and further develop and inculcate in them the sense of responsibility, it would be absolutely necessary to encourage them with a view to involve them in the efficient execution of the tasks by way of giving them pay scale of Rs. 210-290 after putting in three years of service or 1-1-1976 as the case may be and classify/categorise them as 'trained unskilled workmen'.

1.6 That in the International Airport Authority of India employees though unskiled and even performing same and similar duties under the same roof have been getting pay scale of Rs. 240—330 which was subsequently revised to Rs. 280—407 from 1-9-1981.

It is, therefore, humbly prayed that the Hon'ble Board of Arbitrators be pleased to accept the categorisation/classification, pay scale and also to upgrade the incumbents in the higher scale from 1-1-1976 or on completion of three years of service as the case may be in view of just, and genuineness of the claim.

2. That in the Arbitration Agreement referred to above following was jointly agreed upon for adjudication :

Sweeper, Jr. Gest. Optrs., Head Sweeper, Farash Bhisti, Lift Khallasi.

All the workers after putting in three years of service be provided pay scale of Rs. 260-350 to provide promotion.

2.1 That the post of Head Sweeper and its categorisation and pay scale have already been mentioned in the Arbitration Agreement at Item No. 3 of the Arbitration Agreement for adjudication and was erroneously mentioned by the union in Item No. 2, it is, therefore, requested that the Hon'ble Board of Arbitrators be pleased to treat it as withdrawn from Item No. 2.

2.2 That unlike Sweepers of all other offices/departments, the employees in the category of Sweeper are to perform wet work also and the type of work being undertaken by them warrants some degree of skill and classifying/categorising them as unskilled by the socalled Categorisation Committee of the management of CPWD was totally unjustified. Moreover, such employees have been given higher pay scale in Railways as well as in Civil Aviation Department, International Airport Authority and continuing this post in the pay scale of Rs. 196-232 from 1-1-73 in the establishment of CPWD was violative of Article 39(d), 16 of the Constitution of India. It is also humbly submitted that a particular strata of the society which is caste ridden and the type of work is also heirarchical should not be left at the whims and fancies of the exploiting class by classifying them in the unskilled category and also not to give them at least financial benefit by way of higher pay scale. In this context the demand of CPWD Mazdoor union for classifying/categorising the post of Sweeper as semi-skilled and the pay scale of Rs. 240 320 is just, genuine and fully justified.

2.3 That the employments of Farash, Bhisti and Lift Khallasi warrants some degree of skill in the performance of their duties/jobs. Farash is utilised in the exigency after close of office by the later staff/officers sometime for stitching work and for other work which is comparable to semi-skilled (Daftry). Moreover, he is required to come twice in the office for closing and opening office which burdens the employee financially and also is arduous task as it involves more degree of fatigue, his earning capacity is more exploited and treating this employee as unskilled from 1-1-73 is totally unjustified and needs to be set-aside by grading the scale of Rs. 240-320 and categorising the employees in the semi-skilled category. The same holds good for Bhistie employees also.

2.4 The employment of Life Khallasi warrants some degree of skill as in assisting the lift mechanic and he is not only to be abrupt and have the knowledge of different tool but should also know to drive the lift in emergency sometime to relive the Lift Operator for lunch etc. and the work on which lift khalasi is employed warrants degree of skill was categorising III khalasi as semi-skilled and giving the incumbent the pay scale of Rs. 240-320 from 1-1 1973 is just, genuine and fully justified.

2.5 That the post of Lift Khallasi should not be abolished in a systematic way as is the existing practice and more posts in

emerging rush of work and task ahead in the scientific advanced society which our country is developing there will be more use of lifts etc. in different buildings which would be undertaken later on and this category is the feeding cadre for lift operator so building of cadre and policy of built in cadre in an expanding organisation like ours, there is full justification of creation of more posts of lift khallasis, especially two lift operators/one lift mechanic should be provided a lift khallasi.

2.6 That the Hon'ble Board of Arbitrators be pleased to permit and adjudicate on the request of union for creation of a post of Head Chowkidar' in each division and classify them in the semi-skilled category and be given pay scale of Rs. 240-320 to give promotional avenues to the feeling cadre of Chowkidar.

2.7 That all the incumbents of the above employments/posts be given the pay scale of Rs. 260-350 from 1-1-76 or after completion of three years of service whichever is later to inculcate amongst the employees the sense of responsibility and involve them in the efficient execution of different tasks so that the industrial workers also feel the responsibility in the well being of the organisation and such dedication and responsibility should not be left over to the management of CPWD only.

2.8 That the post of semi-skilled should be filled 100% amongst unskilled, untrained and unskilled trained workmen on the basis of seniority-cum-fitness.

2.9 That in the International Airport Authority, the pay scale of the semi-skilled category was Rs. 250-360 as on 1-1-1973 and was revised to Rs. 290-442 from 1-9-1981, the employees of which category perform the same and similar type as are engaged on different works of this category in the CPWD, though in CPWD the existing pay scale of above employment from 1-1-1973 is Rs. 196-232 and Rs. 200-242.

2.10 That the demand of CPWD Mazdoor Union to classify the above employments as semi-skilled, semi-trained artisans and giving them pay scale of Rs. 240-320 from 1-1-73 and subsequently upgrade the pay scale of the incumbents from 1-1-1976 or after completion of three years of service whichever is later in the pay scale of Rs. 260-350 and categories/classify them as semi-skilled trained artisans is just, genuine and fully justified under the industrial adjudication.

3. That in the Arbitration Agreement referred to above following was jointly agreed upon for adjudication.

Bullockmen, Mate, Syce, Packer, Stocker, Bandhani, Gharmi, Serviceman, Airconditioning and Refrigeration, Head Sweeper, Sanitary Jamadar, Building Jamadar, Fireman, Cook, Farash Jamadar, Lab. Attendant, Cook Bearer, Challan Guard, Gauge Reader, Meter Reader, Sewerman, Switchboard Attendant, Lift Operator (Light Speed Lifts), Dresser.

All the workmen after putting three years of service be given selection grade in the pay scale of Rs. 260-430

3.1 That the Hon'ble Board of Arbitrator be pleased to include the category of Senior Mali which is appearing in Item No. 4 of the Arbitration Agreement for adjudication and Floral Decorator which is not mentioned in the Arbitration Agreement for adjudicating the dispute classification in the skilled category and give them pay scale of Rs. 260-400 from 1-1-1973, by including both categories/employments in Item No. 3.

3.2 That the Hon'ble Board of Arbitrators may also be pleased to include a new category of Valveman/Asstt. Cook Bearer, Enquiry Clerk in the pay scale of Rs. 260-400 w.e.f. 1-1-1973 which posts should be created to provide promotional avenues to the unskilled workmen and semi-skilled artisans.

3.3 That presently, the above employments/categories have been mostly categorised as semi-skilled in the workcharged/regular classified establishments in the pay scale of Rs. 210-290/200-240/210-270 whereas their counterparts in International Airports Authority of India and NDMC and elsewhere are getting much higher pay scales.

3.4 That lift operators are trained artisans and they are [illegible] tra[illegible] of [illegible]rating lifts in the Training Centre, Nirman Bhavan, New Delhi, and the level of skill required to operate low speed lifts is much more than unskilled and the pay scale given by the management through socalled Categorisation Committees in the pay scale of Rs. 210-270 from 1-1-73 was totally unjustified and was also exploitive exercise in the name of regular classified establishment. According to definition given in the Minimum Wages Act, 1948, lift operator is a skilled workman as in the operation of the low speed lifts he has to drive the lift on the basis of training/technical knowledge acquired by him and so entitled to the pay scale of Rs 260-400 from 1-1-1974.

3.5 That in view of the fact that in the present situation there is great scientific advancement and to conserve time, low speed lifts are redundent to the present needs which should be phased out in two-three years excepting exigencies which are confined to some lifts in the hospitals.

It is, humbly submitted that orders for phasing out of low speed lifts be passed especially in Government Offices and elsewhere to conserve time and in the interest of industrial tranquility including re-brushing the image of the organisation as such lifts are the main cause of criticism of CPWD workers for no fault of theirs.

3.6 That the employment of Sewerman presently in CPWD is in workcharged establishment/regular classified establishment having pay scale of Rs. 196-232 and Rs. 200-250 and they are classified as unskilled in the workcharged category, semi-skilled in the regular classified establishment which is contravention of the definition given in the Minimum Wages Act, 1948 as the work to be accomplished by a Sewerman is of a technical nature and it can only be accomplished by way of continuous experience either on account of ancestral knowledge or working for a long time. The employments in this category was not classified at all on the basis of the work and in tune with Minimum Wages Act, 1948 and only the background of giving them low pay scale comparable to semi-skilled/unskilled only breeds caste Hindu approach of the management. A sewerman is also required to enter into the manhole and they are the employees performing duties which are most risky and work of very serious health hazard unleashing skin trouble to the incumbent of the post by way of pungent and poisonous gases in the manhole etc.

In view of these facts, workcharged sewermen as well as regular classified sewermen be classified as skilled workmen and be given pay scale of Rs. 260-400 w.e.f. 1-1-73.

3.7 That on each enquiry the post of Enquiry Clerk be created and earmarked for promotional avenue to the industrial workers in the workcharged/regular classified establishment and presently muster roll employees performing the duties of Enquiry Clerks be regularised. The type of work being performed by Enquiring Clerk can be acquired by way of training and actual longer experience.

3.8 That presently in CPWD especially in residential colonies/government offices, government buildings, beldars are forced to perform the duties of valvemen as the management of CPWD have abolished this post and the work of Valvemen according to definition under Minimum Wages Act, 1948 is of skilled nature and the post be created in each section and be earmarked 100 per cent on the basis of senority in the unskilled, unskilled trained, and semi-skilled trained categories.

3.9 That all other categories referred to above at Item No. 3 have been submitted to the Hon'ble Board of Arbitrators for inclusion in this item are of discharging their functions in the execution of tasks which require experience by way of training or longer experience and may be classified as skilled workmen in the pay scale of Rs 260-400 w.e.f. 1-1-1973 as per definition under M.W. Act, 1948.

3.10 That all the incumbents of the posts referred to above including that have been submitted for inclusion in above item be given pay scale of Rs 260-430 from 1-1-1976 or after completion of three years of service whichever is later with a view to inculcate the sense of responsibility and involvement in re-brushing the image of the organisation and encourage the workers to multiply their efficiency for present execution of different tasks in the establishments of CPWD though being covered in this

category of skilled workmen especially semi-skilled workment and if need be equipped with intensive training in the training centre of CPWD and promoting then 25 per cent on the basis of limited departmental competitive examination and 75 per cent strictly on the basis of seniority.

3.11 That posts of Mate, head Sweeper, Sanitary Jamadar, Building Jamadar, Farash Jamadar be created in each subdivision so as it provide promotion avenues to the feeding cadre in the semiskilled category.

4. That in the Arbitration Agreement referred to above, following was jointly agreed upon for adjudication :

Sr. Mali, Lineman, Plumbing, Asstt. Plumber, Asstt. Armature Winder, Asstt. Dieneman, Asstt. Filler, Asstt. Painter, Asstt. Wireman, Asstt. Tinsmeth, Asstt. Turner, Asstt. Upholster, Asstt. Blacksmith, Asstt. Boilerman, Asstt. Carpenter, Asstt. Mason, Asstt. Mechanic, Asstt. Welder, Astt. Operafor (Electrical Mechanical), Caneman, Operator Electrical and Mechanical Mechanic Airconditioning and Refrigeration, Chowdhury, Armature Winder, Wireman, Lineman, Painter, Tinsmith, Turner, Fitter, Boilerman, Mason, Carpenter, Welder Upholster, Mechanic, Cable Jointer, Plumber, Tailor, Stone Cutter, M. L. Driver, Road Roller Driver, Moulder, Lab. Asstt. Staff Car Driver, Fireman, Jamadar Lift Operator (High Speed Lifts).

4.1 That the category of Sr. Mali may be deleted in view of the submission to the Hon'ble Board of Arbitrators in Item No. 3.

4.2 That the post of Asstt. Operator (AC&R) and Operator (AC&R) be added in Item No. 4 which are not appearing in the Arbitration Agreement referred to the Hon'ble Board of Arbitrators for adjudication.

4.3 That the Hon'ble Board of Arbitrators be pleased to include the category of Mechanic which is mentioned in the Arbitration Agreement for adjudication in this item be read as Mechanic (Lifts) and other posts of Mechanics also.

4.4 That on each eight lifts in a section/sub-division/division, a post of lift mechanic be created to provide promotional avenues to the lift operators.

4.5 That Assistant category and full categories in the CPWD though have been given the pay scale of Rs. 210-290 and 260-400 respectively by the socalled Categorisation Committees and have been categorised as semi-skilled/skilled respectively but are performing same and similar duties right from 1-1-1973 to date which categorisation is contrary to Article 39(d) and Article 16 of the Constitution of India and there are numerous judicial pronouncements of the judicial authorities including Hon'ble Supreme Court of India. Horeover, type of activity being undertaken by all the employees referred to above and submitted to be included in this item are performing their duties independentally and in the execution of tasks neither continuous supervision is required by them, and they are to take decisions independentally without any supervision in the performance of the tasks expected to be performed by them. According to definition of highly skilled workmen under Minimum Wages, Act. 1948 all such employments are covered under that definition.

4.6 That for Motor Lorry Driver and Road Roller Driver, the requisite qualification has been prescribed as possession of heavy vehicle licence/Grade-I licence and pay scale is given that of skilled workmen.

4.7 That the question of treating plumbing artisan, machinery artisan, Motor Lorry Driver, Carpenter artisan were taken up with Authority Appointed Under Minimum Wages Act, 1948 and the Hon'ble Authority for Kanpur Area (Regional Labour Commissioner (Central) gave directions to treat all such workmen in CPWD as highly skilled workmen according to definition given under M. W. Act, 1948 which decisions of the Authority were pursued in appeal by the management of CPWD in case of Mason, Carpenter, Plumber of 'F' Division, MLD of Mechanical Workshop Division in Delhi High Court where Hon'ble Delhi High Court rejected the appeal of the management of CPWD inter-alia treating all such workmen as highly skilled workment consequent upon which all the master roll employees in these categories continued to maintain status of highly skilled workmen and their counterparts in the workcharged/regular classified establishment have been categorised as skilled workmen from 1-1-73 and given pay scale of Rs. 260-400 which is totally unjustified and contrary to law.

4.8 That all the incumbents of above employments be treated as highly skilled and given pay scale of Rs. 330-560 irrespective of whether in the Assistant category or full category of CPWD or lift operator of high speed lifts w.e.f. 1-1-1973 in the light of the judgements of the Authority appointed under Minimum Wages Act, 1948 further confirmed by Delhi High Court read with Article 39(d) and Article 14 of the Constitution of India in support of which also pronouncements of Hon'ble Supreme Court of India in the case of Shri D. S. Mankara Vs. Union of India (Constitution Bench) and other judgements are referred to which are law of the land as per Article 14 of the Constitution of India. The same are applicable in support of claim of CPWD workmen in Item No. 4.

4.9 That all the posts of highly skilled workmen in the pay scale of Rs. 330-560 from 1-1-1973 be appointed on the basis of 25 per cent by way of limited departmental competitive examination of industrial workers irrespective of workcharged or regular classified establishment and 75 per cent strictly on the basis of seniority amongst the skilled workmen.

4.10 That the requirement of licensing from respective States be dispensed with by way of seeking exemption as this practice has met with a disgusting experience with the result there are serious acute stagnation amongst employees and such conditions are not prevalent in Civil Aviation Deptt. and DESU. The knowledge and requisite experience can be acquired by the employees by way of intensive training in the Training Centre of the CPWD and our engineers could be authorised to certify the level of skill and requirement of the job on the electircal appliances as has been the practice in two establishments referred to above, a rule which is redundent and impracticable and is serious cause for industrial tranquility in a public utility service needs to be get away with in the interest of inustrial peace an harmony and for betterment of the industrial workers undertaking different activities in the discharge of efficient execution of the task in the different establishments of CPWD.

5. That in the Arbitration Agreement referred to above, following was jointly agreed upon for adjudication :

Electrician, Sr. Mechanic Air-Conditioning & Refrigeration, Sr. Mechanical, Sr. Operator, Pattern Maker, Boilerman, Work Asstt. Road Inspector, Head Gardener.

5.1 That the post of Sr. Mechanical submitted to the Hon'ble Board of Arbitrators for adjudication in this item be read as Sr. Mechanic (Mechanical)/(Lifts).

5.2 That all the posts referred to above be created in each section whih shall on the one hand dissolve acute stagnation in the services and on the other hand the discontentment which shall be unleashed by banning promotional avenues of the industrial workers in CPWD be avoided which in turn shall rebrush the image of the organisation in the public and Govt. departments which is the real cause that meet of the works are going out of hand of CPWD.

5.3 That supervisory licence required for the post of Electrician be get away with which is redundent and an incumbent of the post who is aspiring to be electrician has worked in an organisation for longer years of service and has acquired the requisite experience and skill to perform the functions of electrician.

5.4 That all the posts in the highly skilled Grade-IV after new creation of posts submitted above be filled in 100 per cent strictly on the basis of seniority so that the industrial workers in the different establishments of CPWD contribute their lot and are charged to perform themselves with the responsibility of efficient execution of the tasks of different works and also to shoulder the responsibility of diminishing image of the organisation on account of total lack of cadre management.

5.5 That the existing scale of Rs. 330-480 from 1-1-73 is unjustified and redundent in the light of special type of functions expected from these posts. Moreover, in National Museum, Civil Aviation Deptt, International Airport Authority, IARI, the pay scales of all these posts are much higher thereby attracting violation of Article 39(d) and Article 16 of the Constitution of India on which there are numerous judgements of the superior judicial authorities including that of Hon'ble Supreme Court of India which are referred to.

6.5 That the present practice of regular works that o maintenance of lifts, refrigeration and electrical wiring, sweeping|sanitation etc, are given to contractors which on the one hand is violation of Contract Labour (Regulation, Abolition) Act and also it depletes the promotional avenues of the staff causing discontentment in services which is reflected in the inefficiency etc. which practice be dispensed away with and all regular works including maintenance of lifts, air conditioning and wiring etc be done departmentally and infrastructure including that of creation of new posts be created.

5.7 That all the workmen in highly skilled Grade-IV be drafted by way of 100 per cent strictly on the basis of seniority amongst highly skilled workmen in the pay scale Rs. 330-560.

6. That in the Arbitration Agreement referred to above, following was jointly agreed upon for adjudication :

Foreman, Electrical, Mechanical, Air-conditioning and Refrigeration, Radio Mechanic-cum Operator, Works Asstt. Selection Grade, Sanitary Inspector, Cinema Operator, Surveyer, Asstt. Radio Mechanic-cum-Operator.

6.1 That there is typing|printing mistake which should be read as Highly Skilled Grade-III.

6.2 That the Hon'ble Board of Arbitrators be pleased to include creation of new posts of Foreman (Lifts) in this category and on the same pay scale with a view to provide promotional avenues to the lift staff.

6.3 That a post of Foreman (Horticulture) and classified as Highly Skilled Grade-III be created in the pay scale of Rs. 425-700 from 1-1-1973 in each sub-division in view of increasing horticultural operations|activities and with a view to provide promotional avenues which in turn shall add to efficiency and remove discontentment in the services.

6.4 That all the posts in the Foreman category of all disciplines of work. Assistant Selection Grade be created in each sub-division.

6.5 That all the posts in the highly skilled Grade-III in the pay scale of Rs. 425-700 be filled in by way of 100 percent strictly on the basis of seniority amongst highly skilled Grade-IV submitted above.

6.6 That Foreman in Railways and Delhi Flood Control are getting much higher pay scales than Foreman in CPWD which is serious contravention of Article 39(d) and Article 14 of the Constitution of India on which there are numerous pronouncements of the superior judicial authorities including Hon'ble Supreme Court of India.

7. That in the Arbitration Agreement referred to above, following was jointly agreed upon for adjudication :

Technical Operator, Sr. Sanitary Inspector Engineer, Supervisor and all the incumbents of highly skilled-III (converted) after putting three years of service be promoted in the time scale.

7.1. That the classification of highly skilled Grade-II and pay scale of Rs. 455-800 from 1-1-1973, all the workers at this level are genuinly entitled to the above categorisation and pay scale and same may be awarded with conversion of above posts after three years of service of highly skilled Grade-III be promoted in the same time scale strictly on the basis of seniority.

8. That in the Arbitration Agreement referred to above, following was jointly agreed upon for adjudication :

Supdg. F&M, & all the incumbents after conversion to highly skilled grade II having put in 3 years of service be promoted in the next time scale as Highly Skilled Gr. I.

8.1 Classification of the incumbents after suitable creation of posts in the Civil/Horticultural, AC&R, by classifying them as Highly Skilled Gr. I and giving them pay scale of Rs. 550—900 w.e.f. 1-1-1973 is fully just, genuine and justified to Supdg (F&M) and all the incumbents who have put in three years of service as Highly Skilled Gr. II irrespective of disciplines they belong to in this pay scale.

9. That the above classification pay scales and creation of new posts presented by representative union for favour of adjudication by the Hon'ble Board of Arbitrators be considered with effect from 1-1-1973 and subsequent pay scales be given from 1-1-1976 or after completion of three years of service whichever is later which are just, genuine and the workmen are entitled to and shall go a long way in maintaining industrial tranquility which in turn shall be reflected in increasing productivity efficiency and rebrushing the image of the organisation and shall make the workmen of CPWD more responsible to shoulder the increasing functions and responsibilities of theirs in the emerging situation.

10. That C.P.W.D./Mazdoor Union only majority and representative union of CPWD workmen and is maiden union who has given demand notice for re-classification| re-categorisation of different employments in the CPWD from 1-1-1973 by way of demand notice|numerous letters and subsequently the matter was ceased in conciliation on the First Indefinite strike notice given by this union vide its reference No. CPWDMU|Strike Notice|85 dated 28th June, 1985.

10.1 That during the course of conciliation before Shri D. P. Srivastava, Regional Labour Commissioner (Central) Headquarters, following agreement was arrived at on 13th Sept., 1985 on Item No. 15, reproduced below :

"15 Re-categorisation|classification of W. C. Staff and regular classified categories w.e.f. 1-1-1973 on the analogy of classification of Scheduled Employments as per schedule fixed under M. W. Act., 1948 as listed below.

This demand shall be taken up for discussion on the next date. As the CPWD Management and the CPWD Mazdoor Union during the course of bilateral discussion on 12-9-1985 have developed there an understanding to resort the matter through Vol. arbitration under Section 10(2) of Industrial Disputes Act 1947 in case the same remains un-resolved mutual or through conciliation.

10.2 That when the Arbitration Agreement was not signed as per written settlements during the course of conciliation before Regional Labour Commissioner (Central) Headquarters, the dispute was again raised by way of second indefinite strike notice vide CPWD Mazdoor union Reference No. CPWDMU|Strike Notice|86 dated 15th July, 1986 and the matter was ceased in conciliation, the workmen of CPWD all over India went on strike from 3rd Sept., 1986 and an agreement was arrived at during conciliation pending strike and finally the strike was settled in the midnight of 5th Sept., 1986 before Shri P. D. Shenoi, Chief Labour Commissioner (Central)-Item No. 4 of the Memorandum of Settlement under Section 12(3) of the Industrial Disputes Act, 1947 is reproduced below :

"Regarding Union's demand for recategorisation|classification of Workcharged staff and regular classified categories with effect from 1-1-1973 it shall be resolved by voluntary arbitration under Section 10-A of the Industrial Disputes Act, 1947. There will be two arbitrators representing one to be nominated by the Union and other by the CPWD Management and the C.L.C.(C) shall nominate his representative as an Umpire for the purpose. The parties shall complete the other formalities of the arbitration agreement at an early date."

10.3 That Arbitration Agreement in Form-C under Section 10-A of the Industrial Disputes Act, 1947 was signed by the management of CPWD and CPWD Mazdoor Union on 18th October, 1986.

10.4 That the Arbitration Agreement was published in Gazette of India vide Notification No. Ministry of Labour L-42013|1|86 D. II(B) dated 31st October 1986 and L-42013|1|86 D. II(B) dated 7th November, 1986.

10.5 That no other minority union functioning in some of the establishments of CPWD have never raised this demand and it is on record that to minority unions for the

present recognised on all India level have received commendations and appreciation of the Categorisation Committee in which respect the appreciation given by the Categorisation Committee put in the Categorisation Committee Report after 3rd Central Pay Commission is referred to which inter-alia confirms the fact that re-classification/re-categorisation of the posts and pay scales and fitment of pay scale from 1-1-73 have not been raised by any of the minority union in some of the establishments of CPWD.

11. That classification and the pay scales submitted above after adjudication by the Hon'ble Board of Arbitrators be made applicable subsequently and fitment of pay scale of 4th C.P.C. be done on the same classification with effect from 1-1-1986 the crucial date from which the Govt. have made applicable the recommendations of 4th Central Pay Commission.

PRAYER :

It is, therefore, humbly prayed that the Hon'ble Board of Arbitrators be placed to :

(a) Pass orders accepting the above claim/statements/demands of C.P.W.D. Mazdoor Union on behalf of CPWD workmen.

(b) Pass such orders as deem fit and proper to give relief to the workmen of CPWD.

B. K. PRASAD, General Secy.
C.P.W.D. Mazdoor Union

VERIFICATION

I, B. K. Prasad, General Secretary of CPWD Mazdoor Union the representative Union of CPWD workmen do hereby verify that above claims/statements/demands of workmen of CPWD are just, genuine and proper.

Verified this 13th day of January, 1987.

B. K. PRASAD, Deponent

ANNEXURE B

BEFORE BOARD OF ARBITRATORS C/O CHIEF ENGINEER ELECTRICAL, C.P.W.D. VIDYUT BHAVAN, NEW DELHI

In the matter of Arbitration Agreement under Section 10(A) of the Industrial Disputes Act, 1947

(Vide Ministry of Labour Notification No. L-42013/1/86-D.II (B) dated 31st October, 1986 and L-42013/1/86-D.II (B) dated 7th November, 1986)

In the matter of Industrial Dispute :

BETWEEN

Director General (Works), C.P.W.D. Nirman Bhavan, New Delhi.

Through its Director of Administration —Employers/Management

AND

C.P.W.D. Mazdoor Union, F-26, Raja Bazar, DIZ Area, Baba Kharak Singh Marg, New Delhi.

Through its General Secretary —Workmen/Applicant

Rejoinder of C.P.W.D. Mazdoor Union on behalf of workmen of C.P.W.D

To

The Hon'ble Arbitrator (Umpire) and

His companion Arbitrators of the Board of Arbitration.

The humble petition of workmen herein most respectfully showeth :

PARAWISE REPLY TO MANAGEMENT'S OBJECTIONS

1. The reply of the management is very vague statement and does not need to be considered as it lacks reasoning, proper justification, so refuted and it is requested that the same may be rejected.

2. The contention of the management is far from truth, is not tenable and legally maintainable in view of following facts :

(a) The classification in the schedule employments are defined under Minimum Wages Act, 1948 and job content has been given due weightage.

(b) The socalled Categorisation Committees appointed by Government in 1960 and 1973 is not mandatory and have only status of Works Committee and do not substitute or supplant bargaining of the trade union of the workmen. In view of above, this union rejects the contention of the management/employers of CPWD and request the Hon'ble Board of Arbitrators to reject the contention of the management.

3. The contention of the management is hollow rhetorics and reckless sweeping certificate and self-contradictory and not legally maintainable so refuted and Hon'ble Board of Arbitrators be pleased to reject the same on the following grounds :

(a) As submitted in para 2 above.

(b) The inclusion of experts, engineers etc. in the so-called Categorisation Committee and pro-management support of the 'socalled' recognised unions referred to by the employers of CPWD cannot take away the lawful, just and genuine rights of the workmen.

(c) That the industrial dispute lawfully raised, there is no limitation and in the instant case the date from 1-1-73 has been jointly agreed upon by the employers of CPWD on behalf of the Union of India and the CPWD Mazdoor Union on behalf of the workmen of CPWD and the dispute before the Board of Arbitrators is with regard to re-categorisation/re-classification and revision of pay scales.

(d) That the social scientific and technical development of the country including the organisation of CPWD have not been taken into account which is very much crystal clear from the reply of the employers of the CPWD "the basic approach to the classification demand by and large the same as the first Categorisation Committee". It also confirms that the increased quantum of workload, the same redundant yardstick and lack of proper cadre management in the workcharged/regular classified categories and composition of industrial workmen in CPWD have not been taken into account (totally illiterate persons have been replaced largely by ITI trained and partial/educated workmen). The reference to the Categorisation Committee as 'so-called' is with reference to facts already explained in para 2 above and in this para and have not been reproduced for the sake of brevity and due to arbitrary, unilateral decision of the management which has created discrimination between the same employments doing the same and similar nature of work which have been considered and outright rejected by the Hon'ble Supreme Court of India in its pronouncements.

In view of this, the contention of the management employers of CPWD are emphatically refuted and the Hon'ble Board of Arbitrators be pleased to outrightly reject the same.

4 and 5 The contention of the management that comparison with other organisations deserves to be ignored is not legally maintainable, so refuted. The contention of the employers of CPWD that arbitration reference is limited to categorisation or otherwise is also factually incorrect as the Hon'ble Board of Arbitrators has also to investigate and give its award on the pay scale as mentioned in the arbitration agreement notified in the Gazette of India dated 31st October, 1986. Since the nature of duties and responsibilities and functions of the industrial workmen in IAAI, DESU, NDMC, Delhi Flood Control, Institutes of ICAR, National Museum, Railways, P&T, AIR etc. are under schedule employment of the Minimum Wages Act, 1948 and the works of CPWD by and large have been transferred to these orga-

nisations. Moreso under the same roof, in the same premises, industrial workmen performing the same and similar duties irrespective of their drawing and disbursing officers/Head of the Departments/Employers, cannot be discriminated in the grant of pay scales, pay and allowances and other benefits which is guaranteed by Article 39(D) and Article 16 of the Constitution of India. It may also be submitted that CPWD as well as Departments/Organisations/Industrial establishments mentioned above are all falling under definition of "the state" under Article 12 of the Consitution of India which is reproduced below :

Article 12. Definition

"In this part, unless the context otherwise requires, "the State" includes the Government and Parliament of India and the Government and the Legislature of each of the States and all local or other authorities within the territory of India or under the control of the Government of India."

In view of this, it is emphatically refuted that reference of pay scales in those organisations are extraneous what to talk of "totally extraneous" to the arbitration and comparison is also not unreasonable, so all the contentions thereof of the management in their reply are emphatically refuted and the Hon'ble Board of Arbitrators be pleased to reject the same.

6. The contention of the management is bad in law, not legally maintainable, so refuted. It is most respectfully submitted to the Hon ble Board of Arbitrators that the employers of CPWD vide their submissions in this para are willfully distorting the provisions of the Minimum Wages Act, 1948 and other labour laws. The definition of unskilled, semi-skilled, skilled and highly skilled as contained in Minimum Wages Act, 1948 are mandatory provisions and enforceable, punishable under the Act by the authority appointed under Minimum Wages Act, 1948. The employers of CPWD are having wrong notions with regard to status of the workmen viz. unskilled, semi-skilled, skilled and highly skilled and the time scale manning the persons in the respective Central/States granted by the authority under the Act in the light of definition of the Minimum Wages Act, 1948. All these arguments of the employers of CPWD were considered by the authority under Minimum Wages Act in quite good number of cases more than 100 employees in the schedule employment of CPWD comprising of 'F' division, 'B' division, Parliamentary Works-I and Parliamentary Works-II, divisions, Mechanical Workshop Division etc. and rejected outrightly by the appropriate authority under the act granted that status/classification with compensation and all that. Having not satisfied with the decision of the authority appointed under the Minimum Wages Act of Kanpur, the employers of CPWD went in appeal in Delhi High Court in respect of plumber, mason, carpenter of 'F' division and MLD of Mechanical Workshop division and the Hon'ble High Court rejected both the appeals at the admission stage itself and, thereafter, the management implemented all the decisions. In view of this, it is requested that the Hon'ble Board of Arbitrators be pleased to reject the contention of the employers of CPWD.

7. The contention of the management are factually incorrect, legally not maintainable, so refuted. The submissions of CPWD Mazdoor Union in paras 4, 5 and 6 above may be read here as the same have not been reproduced for the sake of brevity. Other arguments in the reply of management have been considered by the Hon'ble Supreme Court of India in cases of Randhir Singh Vs. Union of India, P. K. Ramachara Iyer Vs. Union of India, D.S. Nakara Vs. Union of India, Dhirendra Chameli Vs. State of U.P. and Surinder Singh and others Vs. Engineer-in-Chief, CPWD and have been outrightly rejected being violative of Article 39(D) and Article 16 of the Constitution of India.

In the light of judicial pronouncements and law made by the Supreme Court of India in the above cases all submissions of the management in their reply in para 7 be rejected by the Hon'ble Board of Arbitrators.

8. The contentions of the management in this para are factually incorrect and wrong and so refuted. It is emphatically denied that CPWD Mazdoor Union has not given justification and reasons for affecting re-categorisation/re-classification from 1-1-73 and demanding higher pay scale from 1-1-76 or from three years in the concerned scale in certain categories and lack of rationale are refuted. The union are demanding revision of pay scales, reclassification/recategorisation from 1-1-73 because from that date recommendation of 3rd CPC have been implemented by the employers of CPWD and unlawful categorisation/classification of the "so-called" catego isation committee in the CPWD and we have given the rationale behind giving higher scales after putting in three years of service from 1-1-76 which is later in respect of some categories.

In the light of above, it is requested that the Hon'ble Board of Arbitrators be pleased to reject all the objections of the employers of CPWD in the respective para.

9. The contention of the employers of CPWD are bad in law not legally maintainable, so refuted in the light of pronouncements of the Hon'ble Supreme Court of India in a number of decisions referred to above. Secondly the points not covered therein and in the event of employers of CPWD having strong points to make to the Hon'ble Board of Arbitrators, they made do so by inducing evidence thereon.

10. The contention of the management is factually incorrect and bad in law so refuted in the light of above submission and the same may be rejected by the Hon'ble Board of Arbitrators.

DEMANDS—PARAWISE REPLY

1.1 The contention of the management are baseless, not legally maintainable, so refuted. The submissions made by CPWD Mazdoor Union on 13th January, 1987 to the Hon'ble Board of Arbitrators are reiterated.

1.2 The contention of the management is refuted as the demand and justification in the preamble of the statement of claim are to be read together and the statement of claim is to be gone through into totality that already have proper justification.

1.3 The contention of the management are denied and submission before the Hon'ble Board of Arbitrators in the initial petition are reiterated.

1.4 Needs no reply.

1.5 The contention of the management is refuted and submissions made in the initial petition to the Hon'ble Board of Arbitrators are reiterated. The definition of different scales and categories under the M.W. Act are for the purpose of basic and initial appointment and to inculcate the sense of responsibility and develop and exploit the experience gained by the employees in the schedule employments are to be properly scales which is permissible under the Industrial Disputes Act, 1947 Submissions in the respective paragraph in the initial petition are reiterated.

1.6 The contention of the management is denied and submissions made on behalf of workmen in the initial petition to this Hon'ble Board of Arbitrators on 13th January, 1987 are reiterated.

1.7 The contention of the management is denied and submissions made on behalf of workmen in the initial petition to this Hon'ble Board of Arbitrators are reiterated.

2.1 Needs no reply.

2.1 The contention of the management is denied and submissions in the initial petiton dated 13-1-87 of the union to this Board of Arbitrators are reiterated.

2.2 The contention of the management is denied and submissions in the initial petiton dated 13-1-87 of the union to this Board of Arbitrators are reiterated.

2.3 The contention of the management is denied and submissions in the initial petition dated 13-1-1987 of the union to this Board of Arbitrators are reiterated.

2.4 The contention of the management is denied and the submissions in the initial petition dated 13-1-87 to this Board of Arbitrators made by the union are reiterated.

2.5 The contention of the management is denied and submissions in the initial petition dated 13-1-87 of the union to to this Hon'ble Board of Arbitrators are reiterated.

2.6 The contention of the management is denied and the submissions of the union in the initial statement of claim are reiterated.

2.7 The contention of the management is denied and the submissions of the union in the initial statement of claim are reiterated.

2.8 The contention of the management is wrong so refuted because in the re-categorisation/re-classification the demand of promotion of suitable employees to higher pay scales and percentage on the basis of seniority-cum-fitness is related and included in implicity.

2.9 The contention of the management is denied and the submissions of the union in the initial statement of claim are reiterated.

2.10 The contention of the management is denied and the submission of the union in the initial statement of claim are reiterated.

3. Needs no reply.

3.1 The contention of the management is denied. It is earnestly submitted to the Hon'ble Board of Arbitrators that to meet the end of justice, the submissions in the initial petition are reiterated.

3.2 The contention of the management is denied. The submissions in the respective paragraph in the initial petition are reiterated as creation of new posts as well as giving promotional avenues to the existing posts/incumbents is implied in the arbitration agreement. The Hon'ble Board of Arbitrators are fully competent to give its award over the submissions.

3.3 The contention of the management is denied. The submission in the respective paragraph in the initial petition are reiterated.

3.4 The contention of the management is denied. The submission in the respective paragraph in the initial petition are reiterated.

3.5 The contention of the management is denied. The submissions in the respective paragraph in the initial petition are reiterated.

3.6 The contention of the management is denied. The submissions of the union in the respective paragraph in the initial petition are reiterated.

3.7 The contention of the management is denied. The submissions of the union in the respect para in the initial petition are reiterated. It is emphatically denied that the demand pertains to creation of post of Enquiry Clerk is a right of the employees of CPWD who are functioning as Enquiry Clerk on all the enquiries of CPWD but they are not given the pay and allowances of enquiry clerk. Moreover the demand of the Union is to make it a promotional post for WC/Regular classified categories in the lower pay scales.

3.8 The contention of the management is denied. The submissions of the union in the respective para in the initial petition are reiterated.

3.9 The contention of the management is denied. The submissions of the union in the respective para in the initial petition are reiterated.

3.10 The contention of the management is denied. The submissions of the union in the respective para in the initial petition are reiterated.

3.11 The contention of the management is denied. The submissions of the union in the respective para in the initial petition are reiterated.

4. Needs no reply.

4.1 The contention of the management is denied. The submissions of the union in the respective para in the initial petition are reiterated.

4.2 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

4.3 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

4.4 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

4.5 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

4.6 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

4.7 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

4.8 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

4.9 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated. It is further submitted that in the arbitration agreement it is implied that the Hon'ble Board of Arbitrators is to not only investigate but in the interest of industrial peace and to induce total settlement, method of recruitment, promotional avenues and creation of news posts are the implied by-products of the arbitration and the Board shall also be passing its award in the interest of natural justice, fair play.

4.10 The contention of the management is denied The submissions in the initial petition in the respective para are reiterated.

5. Needs no reply.

5.1 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

5.2 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated. In the interest of industrial peace and to induce settlement between the employer of CPWD and CPWD workmen represented by CPWD Mazdoor Union it is implied that all these points are to be decided upon by the Board of Arbitrators.

5.3 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

5.4 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

5.5 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

5.6 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

5.7 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

6. Needs no reply.

6.1 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

6.2 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

6.3 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

6.4 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

6.5 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

6.6 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

7. Needs no reply.

7.1 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

8. Needs no reply.

8.1 The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

9. The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated.

10. The contention of the management is denied. The submissions in the initial petition in the respective para are reiterated. The contention of the management is refuted being unlawful. The Central Government in the Ministry of Labour vide notification dated 7th November, 1986 declaring CPWD Mazdoor Union as majority union on behalf of CPWD workmen and it is immaterial that there are other two recognised unions existing in CPWD. The verification and membership of CPWD Mazdoor Union have already been verified by Ministry of Labour and as a consequence of that only this union was granted recognition whereas the other socalled two unions have failed to submit their records of membership or other documents to Ministry of Labour which material and substantial facts have not been divulged by the employers of CPWD before This Board of Arbitration.

10.1 Needs no reply.

10.2 Needs no reply.

10.3 Needs no reply.

10.4 Needs no reply.

10.5 Since the management have opted not to reply, it is implied that submissions of CPWD Mazdoor Union on behalf of the workmen have been accepted by the employers of CPWD.

11. Since the management have opted not to reply, it is implied that submissions of CPWD Mazdoor Union on behalf of the workmen have been accepted by the employers of CPWD.

It is, therefore, requested that the contention of the management in their reply may be rejected by the Hon'ble Board of Arbitrators and they may be pleased to pass orders as prayed in para (a) and (b) of the claim application dated 13-1-1987.

for and on behalf of workmen of CPWD
(B. K. PRASAD)
General Secretary
CPWD Mazdoor Union

Dated the 15th April, 1987.

ANNEXURE-II (C)

BEFORE BOARD OF ARBITRATORS E-WING, C.P.W.D. TRAINING INSTITUTE NIRMAN BHAVAN, NEW DELHI

In the matter of Arbitration Agreement under Section 10(A) of the Industrial Disputes Act, 1947

(Vide Ministry of Labour Notification No. L-42013/1/86-D. II (B) dated 31st October, 1986 and L-42013/1/86-D II (B) dated 7th November, 1986.)

No. Arbitration/86/CON I

In the matter of Industrial Dispute :

BETWEEN

Director General of Works, CPWD, Nirman Bhavan, New Delhi Through its Director of Administration.
—Employers/Management

AND

C.P.W.D. Mazdoor Union, E-26, Raja Bazar, DIZ Area, Baba Kharak Singh Marg, New Delhi through its General Secretary —Workmen/Applicant

Statement of claim of CPWD Workers' Union Shimla on behalf of workmen of CPWD at Shimla

To

The Hon'ble Arbitrator (Umpire) and

His companion Arbitrators of the Board of Arbitration.

The humble petition of workmen herein post respectfully, Showeth :

(1) That CPWD Workers' Union Shimla is independentally registered union under Indian Trade Union Act and recognised by the Government of India for the purpose of Shimla Area of the CPWD workmen.

(2) That CPWD Workers' Union Shimla in its Annual General Body Meeting and subsequently in its Execution Committee Meeting have decided to be part and parcel of CPWD Mazdoor Union for All India pu poses.

(3) That the CPWD Mazdoor Union is representative body of CPWD Workers on all India level and it represents CPWD workers at Shimla also who are members of this Union in that respect.

(4) That the Annual General Body Meeting of CPWD Workers' Union Shimla and its Executive Committee resolved to decide that the justification of demands and statement of claim submitted by the CPWD Mazdoor Union to this Hon'ble Board of Arbitrators is on behalf of CPWD workmen of Shimla and the claim put forth in this respect is just, genuine and Hon'ble Board of Arbitrators be pleased to accept this.

(T. TEK RAM)
It. Secretary

(RAGHUBIR SINGH RANAUT)
General Secretary
CPWD Workers' Union
SHIMLA
Rly Board Bldg.
SHIMLA-3

Dated the 13th January, 1987.

ANNEXURE-II(d)

BEFORE BOARD OF ARBITRATORS
E-WING, C.P.W.D TRAINING INSTITUTE,
NIRMAN BHAWAN, NEW DELHI

In the matter of Arbitration Agreement under Section 10(A) of the Industrial Disputes Act, 1947.

(Vide Ministry of Labour Notification No. L-42013/1/86-D II(B) dated 31st October. 1986 & L-42013/1/86-D. II(B) dated 7th November, 1986).

In the matter of Industrial Disputes

No. Arbitration/86/CON. I

BETWEEN

Director General (Works),
C.P.W.D Nirman Bhawan,
New Delhi. ..Employees/Management.

AND

C.P.W.D. Mazdoor Union,
F-26, Raja Bazar, DIZ area,
Baba Kharak Singh Marg.
New Delhi. ..Workmen.

Statement of claim submitted by Kendriya Lift Karamchari Sangh (Regd.).

To,

The Hon'ble Arbitrator (Umpire),
and his companion Arbitrators of the,
Board of Arbitrators,

The humble petition of petitioner herein most respectfully :—

SHOWETH :

1. That the Kendriya Lift Karamchari Sangh is a Registered Union under Indian Trades Union Act for Lift Operators.

2. That the justification of demands and statement of claims are submitted by the CPWD Mazdoor Union for the Lift Operators (light speed Lifts) in the Pay scale of Rs. 260-400 (skilled) and after putting three years of service be giver selection grades in the Pay Scale of Rs. 260-430 and another pay scale of Lifts Operation (High Speed Lifts) in the pay scale of Rs. 330-560 (highly skilled) instead of Rs. 210-270 w.e.f. 1-1-1973 to this Hon'ble Board of Arbitrators is on behalf of this Union also and the claims put forth in this respect is just, genuine and Hon'ble Board of Arbitrators be pleased to accept.
Dated.—13-1-1987

J. S. RAWAT, General Secy.
Kendriya Lift Karamchari Sangh (Regd),
F-438, Kasturba Nagar, New Delhi

ANNEXURE-II(F)

BEFORE BOARD OF ARBITRATORS E-WING, C.P.W.D. TRAINING INSTITUTE, NIRMAN BHAWAN, NEW DELHI

In the matter of Arbitration Agreement under Section 10(A) of the Industrial Dispute Act, 1947.

(Vide Ministry of Labour Notification No. L-42013|1|86-D II(B) dated 31st October, 1986 and L-42013|1|86-D-II(B) dated 7th November, 1986.)

No. Arbitration|86|CON. I.

BETWEEN

Director General of Works,
C.P.W.D., Nirman Bhawan, New Delhi. Employers|Management.

AND

C.P.W.D. Mazdoor Union,
E-26, Raja Bazar, DIZ Area,
Baba Kharak Singh Marg, New Delhi. Workmen|Applicant.

Statement of claim of All India C.P.W.D. Workers Union, Calcutta on behalf of Workmer of C.P.W.D. Calcutta.

To,

The Hon'ble Arbitrator (Umpire) and,
His Companion Arbitrators of the,
Board of Arbitration.

The humble petition of Workmen herein most respectfully :

SHOWETH

1. That All India P.W.D. Workers' Union, Calcutta is independent registered union under Indian Trade Union Act and recognised Government of India for the purpose of Calcutta Area of the C.P.W.D. Workmen

2. That the justification of demands and statements of claim are submitted by C.P.W.D. Mazdoor Union to all the C.P.W.D Workers the Hon'ble Board of Arbitrators, is on behalf of this Union also and the claims put forth in this respect is just fully and Hon'ble Board of Arbitrators be pleased to accept.

Dated : The 15th January, 1987.

SUKUMAR ROY, General Secy.
All India C.P.W.D. Workers Union, Calcutta

ANNEXURE III

BEFORE BOARD OF ARBITRATORS E-WING, C.P.W.D., TRAINING INSTITUTE, NIRAMAN BHAWAN, NEW DELHI

In the matter of Arbitration Agreement under Section 10(A) of the Industrial Disputes Act, 1947.

(Vide Ministry of Labour Notification No. L-42013/1/86-D II(B) dated 31st October, 1986 and L-42013/1/86-D II(B) dated 7th November, 1986.

In the matter of Industrial Disputes

BETWEEN

Director General (Works), C.P.W.D., Nirman Bhavan, New Delhi.—Through its Director of Administration—Employers/Management

AND

C.P.W.D. Mazdoor Union, E-26, Raja Bazar, DIZ Area, Baba Kharak Singh Marg, New Delhi—Through its General Secretary—Workmen/Applicant.

Statement of Claim on behalf of the management of C.P.W.D.

To,

The Hon'ble Arbitrator (Umpire) and His Companion Arbitrators of the Board of Arbitration.

The humble petition of management herein most respectfully Showeth :

The contentions of the Union to justify their demands are totally unrealistic and are unacceptable to the management of CPWD for reasons explained hereunder.

2. It is a known fact that CPWD is a premier Central Government organisation, engaged in construction and maintenance activties for many decades. The maintenance activities in civil, electrical and mechanical and horticulture wings require workmen, both unskilled and with varying degrees of skill. The job content of every category of workmen has been clearly laid down in CPWD Manual Vol. III. These were intially framed and periodically revised by experts in the concerned disciplines from within the department. Further, two categorisation committees apointed by the Government, in 1960 and 1973 reviewed the categories The very opening remark of the Union in the statement of claims that CPWD have not classified/categorised different posts according to job content is therefore totally wrong and should not be taken cognizance of by the Board of Arbitration.

3. After the 2nd Pay Commission's Report was accepted, there were no objections from the workers since the categorisation was judged reasonably by the first Categorisation Committee. The Categorisation Committee appointed during 1973 consequent to the release of 3rd Pay Commission's report also made a detailed examination of the classification/categorisation of the various categories in W.C.F. and R.C.F. After interviewing 48 individuals/Unions and deliberations in detail for around one year, the committee gave its recommendations. The CPWD Mazdoor Union

which is one of the parties to the Arbitration was not a recognised Union at that time and, therefore, was not consultated by the Categorisation Committee. The Union, which was granted provisional recognition for the first time in 1983 (i.e. after even the appointment of the next i.e., 4th Pay Commission), more than 10 years later, is now proposing to re-open the entire report and the recommendation of the Categorisation Committee on which decisions had been taken by Government and implemented long back. Even consideration of the demand at this stage will not be correct, in the opinion of the Management as it will set a very bad precedent and decisions taken long back will be sought to be re-opened, as and when any new Union is accorded recogition. The basic approach to the classification remained, by and large, the same as of the First Categorisation Committee. This Committee had representatives from the E-in-C Branch, Army Headquarters, (Director of Work Study) Labour Officer and experts in Electrical and Civil engineering disciplines. As such the allegations of the Union that the Committee have not properly classified or categorised the categories and the recommendations are self-contradictory are unfounded. The reference used about the Categorisation Committee as 'So-called' is derogatory and objetionable. Our objection may be taken note of by this Board of Arbitration.

4. The Union has made reference to the pay scales, in IAAI, DESU, NDMC, Delhi Flood Conrtols and insittutes under the ICAR, stating that most of these works have been transferred from CPWD itself. In the first instance, it is submitted that CPWD is a Central Government Department and note a public sector undertaking, an Autonomous Body or a Municipal organisation. The service conditions are different from one another. The nature of duties in DESU, NDMC, etc cannot be compared with that of CPWD. Further, as per Arbitration reference, the dispute is one of recategorisation or otherwise on the analogy of classification given in the scheduled employment under Mirimum Wages Act. Hence reference to pay scales in IAAI, DESU etc. is totally extraneous to the Arbitration. As such, the unreasonable attempt of the Union to draw a comparison with these organisations deserves only to be ignored by the Hon'ble Board.

5. It is also an incorrect statement from the Union that most of the works have been transferred from the CPWD to these organisations.

6. The Government notification under the Minimum Wages Act, 1948 lays down only the minimum rates of daily wages including wages for the day of weekly rest, various categories of workers grouped as unskilled, semi skilled supervisory, skliled, highly skilled and clerical. The definition of such group has been indicated therein. So far as the workmen in WCF and RCE in CPWD are concerned, they are not daily wagers, but are governed by regular scales of pay which have a minimum increment, EB, maximum with a number of stages and allowances. They also enjoy service conditions different from Muster Roll Staff/Casual Labour who gets wages on daily basis. It is, therefore, not correct to draw attention to the Minimum Wages Act, in this context. Nevertheless it is submitted that keeping in view the job requirements and skill required for the various categories in CPWD, these are categorised in the Deptt. and it is confirmed that the total emoluments for these categories in CPWD, are much above those laid down in the said Government notification under Minimum Wages Act. It is, therefore prayed that the submission of the Union in this regard may not be accepted.

7. The contention of the Union that the Workman fall under the Schedule Employment of Minimum Wages Act, is not acceptable so far as the W.C. Staff and RCE in CPWD are concerned; nor the analogy to the classification indicated in the MOL Notification under Minimum Wages Act is acceptable in application to these workmen. The reasons are explained below :—

(i) The MOL Notification indicates the minimum wages of daily wagers, whereas W.C. Staff and RCE Staff in CPWD are monthly salary earners, and have service conditions different from daily wagers.

(ii) The MOL Notification indicates a number of designation and grades and there is no indication about their duties. Even more than one grade/class is shown bracketed under a particular group of classification. On the other hand, the job requirements are spelt out against each designation of workmen in CPWD and they are categorised accordingly in a scientific manner. With this, the workmen requesting like skills and having like responsibilities are classified in the same grouping in the Department. It is commonly observed that the same designation in different organisations have different levels of positions. As much it is fair, only if the job content is considered in the designation, as has been in CPWD.

(iii) The MOL Notification does not indicate any Highly Skilled Supervisory category, whereas such categories are essential in the Deptt's working. A large number of categories being adopted in the Department, are not indicated in the MOL Notification.

(iv) From the MOL Notification it would appear that :

(a) that the work of a semi-skilled worker is capable of being performed under the supervision of guidance of a skilled employee,

(b) a skilled wroker's work performance calls for initiative and judgement; and

(c) a highly skilled worker is to assume full responsibility for the judgement or decisions involved in the execution of these tasks.

In this connection, the following submissions are made :—

(a) So far as CPWD's WC/RCE staff are concerned, the duties and the qualifications/experience prescribed for semi-skilled workers are such that supervision/guidance of a skilled employee is required.

(b) The need for some amount of initiative and judgement in the performance of work exists in general in any category, whether in the CPWD or in any other department.

(c) Every worker is responsible for the work he does, irrespective of the skill.

It is, therefore, strongly contended that drawing analogy to the categorisation in M.W. Act in respect of categorisation of WC/RCE staff in CPWD is not justified. The comments on the demands concerning various categories are furnished hereunder, under the heading "Demands".

8. While, therefore, not conceding any of the demands, it is at the same time pointed out that no justification has been indicated in their submissions as to why 1-1-73 has been mentioned as the base date for their demands and also why higher scales are further demanded from 1-1-76 or from 3 years in the concerned scales in certain categories. It is, therefore, prayed that this aspect of the demands be also rejected by the Hon'ble Board of Arbitrators, as no rationale has been indicated for the above dates, which have been chosen arbitrarily.

9. From the submissions of the Union, it is apparent that they would like to have common pay scales for all organisations under Central Govt./State Govt./local authorities etc. failing which it is discriminatory, unlawful and violative of labour laws as well as Constitution of India. The job content, working environment, extent of skill required etc. are not practically the same every where and it is a well known fact that there is no such system as "National scales of pay" as envisaged by the Union. The contention of the Union, of discrimination is thus without any basis. It is also submitted that this is not within the purview of the Arbitration reference.

10. It may thus be seen that the "justification of demands" submited by the Union is absolutely unreasonable.

DEMANDS

1.1 The allegation by the Union, of arbitrary, unilateral and unscientific categorisation by the Categorisation Committee is totally baseless. The composition of the Committee, the number of interviews held and the analysis made

by them will clearly prove this point. It is not expected of a responsible union to make such an unwarranted observation about an expert committee. The contention of the Union that certain posts indicated by the fall under the Schedule Employment of Minimum Wages Act, 1948 is not reasonable, as submitted earlier in para. The nature of their duties, it is confirmed, is "unskilled" even as per the definition in the Ministry of Labour Notification No. dated 29-10-86 under Minimum Wages Act, 1948.

1.2 This only indicates the demand without giving any justification.

1.3 According to the Ministry of Labour Notification under the Minimum Wages Act, there is no category such as trained or untrained unskilled workman. The proper classification is "unskilled".

1.4 No comments.

1.5 As per the existing system in the CPWD, the unskilled workman no doubt acquires experience over a period of time and is promoted to a higher category post by seniority-cum-fitness also subject to passing appropirate trade test. He is also permitted to compete for a higher category post under D.R. quota. Many a worker who is competent and takes interest in acquiring the knowledge of the trade by his involvement in the work, is able to get into a higher post in the D.R. quota. The existing system is thus conductive for the really deserving workman to progress in his career. The demand of the Union to simply give the unskilled workman a higher scale of pay after 3 years of service if accepted will only be counter productive and skill any interest and enthusiasm in him to acquire more knowledge and skill. It is a universal fact that a higher scale of pay to anyone in any organisation is given only when he is required to carry out works involving higher skill and/or responsibility and not merely by the number of years of service in lower skill.

There is no classification as "Trained unskilled workmen" anywhere, not even under the Minimum Wages Act which the union has quoted profusely in their submissions. Such new additional classification will only confuse the very concept of scientific categorisation of workmen.

1.6 As already subimtted, no comparison can be made between employees of Central Government, and autonomous organisation/public sector undertakings.

It is reiterated that the demand is completely unjustified and is not in the overall interest of the workers in general and the Department and it is prayed that it is rejected outright.

2. This only indicates the demard of the Union without giving any justification. This is not acceptable.

2.1 No comments.

2.2 The category of Sweepers in a common category and is not a category peculiar only to the CPWD. The Ministry of Labour notifications, issued under the Minimum Wages Act from which the Union is trying to get support for their various demand for recategorisation. They have categorised Sweepers only as unskilled. Therefore, the Sweepers, wherever they are working in Government Departments, are given the same unskilled scale of pay. Comparison with autonomous organisations or public sector undertakings is not appropriate, as already submitted earlier. In view of this, the allegation of the Union of violation of any Article of Constitution of India is without any basis. The demand for recategorisation of Sweepers as semi-skilled and for giving them higher pay scale is unjustified.

2.3 The arguments advanced do not justify giving of a higher pay scale or a higher categorisation to Farashes, Bhisties and Lift Khallasis. Just because a stray Farrash might have been asked to do an odd job requiring higher skill which is totally denied, does not justify the higher categorisation of the category of Farashes as semi-skilled. No justification has been given for recategorisation of Bhistie as Semi-skilled.

2.4 The function of Lift Khallasi is only to assist the Lift Operator and Lift Mechanic. He is not required either to operate the Lifts himself or to have knowledge of different tools etc., as stated by the Union. The work of a Lift Khallasi is of completely unskilled nature and, therefore, the demand of the Union to categorise the Lift Khallasi as semi-skilled is not justified.

2.5 The total strength or, the abolition of the category of Lift Khallasis, it is submitted, is not within the terms of reference of this Honourable Board of Arbitration. It is, however, added that there is no proposal, as of now, to abolish the category of Lift Khallasi.

2.6 The demand of the Union for creation of a new category of Head Chowkidar is not within the terms of reference of the Board of Arbitration.

2.7 As submitted in reply to 1.5, the demand for a higher categorisation and higher pay scale automatically after completiton of 3 years of srevice is totally unjustified.

2.8 This demand of the Union also, it is submitted, is not within the terms of reference of this Honourable Board of Arbitration.

2.9 As already submitted in earlier paragraphs, there can be no comperision between the employees in Government Departments and those in public sector undertakings/autonomous organisations.

2.10 In this paragraph, the Union is only repeating the demands made in earlier paragraphs, which have been adequately replied to. It is also submitted that in the Ministry of Labour notification under M. W. Act there is no category called semi-trained Artisans or semi-skilled trained Artisans. The demand is totally unjustified and it is prayed that it may be neglected.

3. No compents.

3.1 The management does not agree for adding any new category other then those already referred for Arbitration before the Hon'ble Board.

3.2 The Union has demand creation of new categories of certain posts. This outside the purview of this arbitration.

3.3 As already submitted in earlier paragraphs there can be no comparison between the employees in the Central Government and those in Public Sector undertakings/autonomous organisations.

3.4 The training of Lift Operators in C.P.W.D. is purely a Refresher Course on operation of Lifts. It is agreed that the skill required to operate low Speed Lifts is much more, and it is for this reason they are Semi Skilled category in the department. The contention of the Union that Lift operator is skilled workman in the operation of Low Speed Lift is not acceptable. As their is not special skill required in operation of Slow Speed Lifts and it is at best only comparable with categories listed down under Semi-skilled in the M.O.L. notification. It is a known fact that there is nothing in 'Driving a Lift' as even a comman man can operate Lift in public buildings. The contention that the Lift Operator functions on the basis of training in not correct since the training is an in service one only a Refresher Course.

3.5 The submission of the Union for ordering to phase out Slow Speed Lift is extraneous to the arbitration reference. It is also for the kind information of the Board of Arbitrators that the speed of Lifts is determined on functional/technical requirements.

3.6 The submission of the Union that the category of Sewerman is unskilled in the W. C. Establishment in the department is incorrect. The factual position is that Sewerman whether in W. C. Establishment or R.C.F. is a Semi-Skilled person. The demand of the Union to categorise as skilled on the analogy of definition in M.W. Act is not reasonable. The job requirement is only that of Semi-Skill, as has been categorised in the Regular as well as W. C. Establishment.

3.7 This demand pertains to creation of posts of Enquiry Clerks in each Enquiry. Laying down yardstick for category is not within the purview of this arbitration.

3.8 This demand is also for creation of new category, which is not within the purview of arbitration

3.9 It is only agreed that the categories indicated in this demand requirement some skill, more than an unskilled works, but do not require any special skill as needed for skilled work. It is, therefore, only appropriate that the existing categorisation as unskilled should continue. It is, therefore, prayed that the demand be rejected.

3.10 The union has only repeated the demand in this para Further there contention of giving higher scale of pay with a view to inculcate the sense of responsibility will be any counter productive killing of initiative as explained in para 2.7. The submission of the Union of the method of recruitment of these posts is not within the ambit of this Arbitration reference.

3.11 The demand is outside the purview of arbitration

4 No comments.

4.1 Not acceptable.

4.2 There is no category in CPWD called "Operator (AE&C) or Assistant Operator (AC&E)". The request of the Union may not be agreed to.

4.3 Not acceptable.

4.4 Creation of new posts is beyond the scope of the Arbitration reference.

4.5 The contention of the Union that the Assistant and full categories of workers are performing the same duties is incorrect. The duties are distinct, as laid down in the CPWD Manual Vol. III. As such, there is no violation of Constitution in the matter of Categorisation.

The demand of the Union to categorise (skilled) as Highly skilled is not acceptable, nor is it justified. The duties as laid down in Manual Vol. II and the qualification| trade test requirements for employment in these categories, will amply disprove the contention of the Union to categoriese them all as Highly Skilled. In this connection, submissions made in para 7 are also reiterated.

4.6 The qualifications indicated in Manual Vol. III for Motor Lorry Driver and Road Roller driver are as under :—

Motor Lorry Driver.—Ability to read and write. He must possess a driving licence for heavy motor vehicles and driving experience for a period of at least 5 years of which at least 3 years should be of driving heavy motor vehicles.

Road Roller Driver —Ability to read and write in order to maintain log books. Must possess driving licence for Road Rollers, steam or diesel. Must have minimum experience of 5 years in the operation.

4.7 The judgements of the Regional Labour Commissioner (Central), Kanpur and that of the Delhi High Court referred to are not relevant as these relates to the daily wages muster Roll workers of the CPWD and, as already submitted at the beginning in para 7, there can be no comparison between the daily wage workers and the workers in the Workcharged Establishment and Regular Classified Establishment, who are paid pay and allowance with regular pay scales. Workers in W.C.E.|R.C.E. mentioned in this paragraph had been correctly stated as skilled from 1-1-73 and given the relevant pay scales.

4.8 As submitted in para 4.5 above, there is no justification to categorise the employees referred to in para 4 of the Unions submission, as Highly Skilled. The existing categorisation is in order, considering the duties prescribed against each. The judgement of the Supreme Court in D. S. Nakara's case and other judgements referred to herein relate to the payment of wages to daily wage workers and, therefore, not relevant.

4.9 The method of recruitment is outside the scope of arbitration reference.

4.10 The method of dispensing with the licencing from states for the trades is outside the scope of arbitration reference. Licencing is a statutory requirement and cannot be dispensed with.

5. No comments.

5.1 There is no category in CPWD as Sr. Mechanic (Mechanical). The existing category is "Senior Mechanic". The request may not be agreed to.

5.2 Creation of new posts is extraneous to the Arbitration reference.

5.3 Supervisory licence for electician is a requirement as per recruitment rule for this category, commensurate with the job requirement. the question of getting away with this requirement is outside the scope of arbitration reference.

5.4 There is no categorisation a "Highly Skilled Grade IV" even in the MOL Notification.

Further, the questions of creation of new posts and the method of filling the same are beyond the scope of arbitration reference.

5.5 The duty against each category as laid down in Manual Vol. III is to suit the respective job requirements in the CPWD. The pay scale is appropriate in reference to these duties. There is nothing which can be considered as "Special type of functions expected from these posts" as mentioned by the Union. Within the Deptt. there is no disparity among workmen of the same category in WCE|RCE and as such there is no question of violation of the Constitution or court judgements. As stated earlier, comparison with other Deptts., autonomous bodies etc. cannot be taken cognizance of, being extraneous to the terms of reference for arbitration.

5.6 The submission regarding departmental maintenance as opposed to maintenance by contract, and creation of new posts, requiring no comments, as they are outside the scope of arbgitration reference.

5.7 There is no category called Highly Skilled Grade IV in the Department or even in Minimum Wages Act, Creation of new category and its method of filling are not within the purview of reference. As such, it is prayed that in accordance with the terms of reference to Arbitration, this demand from the Union be rejected outright.

6. No comments.

6.1 There is no category called Highly Skilled Grade III in the Department nor even under the Minimum Wages Act. Therefore, it is prayed that in accordance with the terms of reference to Arbitration, this may be rejected outright.

6.2 Creation of a new category is not within the terms of Arbitration reference.

6.3 There is no category called Highly Skilled Grade III in the Department nor even under the Minimum Wages Act Therefore it is prayed that in accordance with the terms of reference to Arbitration, this may be rejected outright. Creation of a new category is not within the terms of Arbitration reference.

6.4 Creation of a new Category is not within the terms of Arbitration reference.

6.5 There is no category called Highly Skilled Grade III in the Department nor even under the Minimum Wages Act. Therefore, it is prayed that in accordance with the terms of reference to Arbitration, this may be rejected outright. Further, the method of filling the posts is also not within the purview of Arbitration reference.

6.6 Within the Department there is no disparity among workmen of the some category in WCE/RCF and as such there is no question of violation of the constitution or court judgements As stated earlier, comparison with other Department, autonomous bodies etc. cannot be taken cognizance of, being extraneous to the terms of reference for arbitration.

7. No comments.

7.1 There is no category called Highly Skilled Grade II in the Department nor even under the M.W. Act. Therefore it is prayed that in accordance with the terms of reference to Arbitration, this may be rejected outright.

8. No comments.

8.1 There is no category called Highly Skilled Grade I in the Department, nor even under the Minimum Wages Act. Therefore it is prayed that in accordance with the terms of reference to Arbitration, this may be rejected outright.

9. The union has only repeated what they have submitted in the earlier paragraphs. There is no justification given as to why they have chosen 1-1-73 as the base date for their demand, and also the 3 years of service. This aspect of the demands are also, therefore, not justified and it is prayed that those be rejected.

As may be seen from the above submissions, the Union has brought out a number of aspects which were not referred in the Government of India order No. dated 31-10-86, in its para (i) with the heading "specific matters in dispute". They have also not given any reasonable justification in respect of any of their demands. It is therefore prayed that all the demands be rejected.

10. Denied. As submitted earlier, this Union was granted provisional recognition in December, 1983 pending verification of membership. The verification is yet to be completed . There are two more recognised Unions in the C.P.W.D. on All India basis.

10.1 No comments.

10.2 No comments.

10.3 No comments.

10.4 No comments.

PRAYER

It is, therefore, hefeby prayed that the Board of Arbitration may be pleased to:—

(a) Consider the submission made by the Employer/Management and reject the demands of the CPWD Mazdood Union, and

(b) Pass such orders as deemed fit.

Sd/-
(S. Ranganathan),
Director of Administration

VERIFICATION :

I, S. Ranganathan, Director of Administration,, representative (Employer), do hereby verify that the above claims/statements are true to my knowledge and based on official recrods.

Verified this 8th date April, 1987.

Sd/-
(S. Ranganathan),
8-4-1987

ANNEXURE IV

BEFORE BOARD OF ARBITRATION,
VIDYUT BHAWAN, NEW DELHI

To

The Secretary,
Ministry of Labour,
Government of India,
New Delhi.

In the matter of Arbitration agreement under Section 10(a) of the Industrial Disputes Act, 1947.

(Vide Ministry of Labour Notification No.L-4803/1/86-DH(B) dated 31st October, 1986 and L-42113/1/86-D(II) (B) dated 7th November, 1986.

In the matter of Industrial Disputes.

No. Arbitration|86 Con. I

BETWEEN

Director General (Works) C.P.W.D. Nirman Bhavan, New Delhi—Through the Director of Admn.—Employers/Management.

AND

CPWD Mazdoor Union, E-26, Raja Bazar, DIZ Area, New Delhi.—Through the Director of Admn.—Employers/Management.

The dispute is already before the Board of Arbitration:—

1. Shri M. G. Wanare.—Umpire.
2. Shri H. S Vats.—Member.
3. Shri G. K. Khemani.—Member.

Whereas the Board of Arbitration is required to submit their Award by 30-10-1987 as per the Ministry of Labour Notification above and the mutual agreement entered into between the two parties in April, 1987.

And whereas due to Administrative and other reasons, the first parties could not prepare this case for the purpose of arguments and final hearing. Party one and Party two agree to the extension of period of submission of the Award by the Board of Arbitration by the period of 1-1/2 month i.e. from 30-10-87 to 15-12-1987.

(B. K. Prasad),
General Secretary,
CPWD Mazdoor Union,
New Delhi.

(Chandar Sain),
Director of Administration,
CPWD, New Delhi.

Witnesses :

(1) (Laxmi Narain),
Asstt., CPWD.

(2) (Kul Bhushan),
ALC (C)

ANNEXURE-V

The Secretary.

Ministry of Labour,

Government of India.

New Delhi.

In the matter of Arbitration agreement under Section 10-A of the Industrial Disputes Act, 1947.

(Vide Ministry of Labour Notification No. L-42013/1/86-D II(B) dated 31st October, 1986 and L-42013/1/86-D. II(B) dated 7th November, 1986).

In the matter of Industrial Dispute No. Arbitration/86/CON, I

BETWEEN

Director General (Works), CPWD, Nirman Bhavan, New Delhi. Through Director of Admn.—Employers/Management.

AND

CPWD Mazdoor Union, E-26, Raja Bazar, DIZ Area, Baba Kharak Singh Marg, New Delhi Through its General Secretary|workmen|applicant.

The dispute is already before the Board of Arbitrators of :—

1. Shri M. G. Wanare, Umpire.
2. Shri H. S. Vats, Member.
3. Shri G. K. Khemani, Member.

Whereas the Board of Arbitration was required to submit their award by 30th April, 1987 as per Ministry of Labour Notification dated 31st October, 1986 and by mutual agreement both the parties extended the tenure of Board of Arbitration firstly upto 30th October, 1987 and subsequently extended the period of submission of award upto 15th December, 1987

And whereas due to the fact that first party could not prepare their arguments and submit their final say before Board of Arbitration Party No 1 and Party No 2 agree to the extension of period of submission of the award by the Board of Arbitration upto 31st January, 1988.

Signed at New Delhi on this day of 8th December, 1987,

Sd/-

(B K Prasad),

General Secretary,

CPWD Mazdoor Union, New Delhi

Sd/-

(Chander Sain),

Director of Administration

CPWD, New Delhi

WITNESSES

Sd/-

8 12-87

ANNEXURE-VI

IN THE SUPREME COURT OF INDIA

ORIGINAL JURISDICTION

Writ Petition No 634 of 1987

Devi Prasad & Anr —Petitioners

Versus

Union of India & Ors —Respondents

ORDER

Learned Additional Solicitor General State that he has taken instructions after the matter was last adjourned and produce a document showing that the claims submitted by the Kendriya Lift Karamchari Sangh to the Arbitrator (Umpire) is pending finalisation

On 28-10-87, this Court had directed that Counter affidavit should be filed within a week, otherwise no further return would be accepted and the matter had been adjourned to 9th of November, 1987 A further adjournment was taken for making of the return to the Rule, no return has, however, been filed but the above submission has been made by the learned Additional Solicitor Gereral

We have considered the claim of the petitioners in the light of the submissions made by Counsel for both sides There is no justification for the classification of lift operators into two categories based upon employment in operating High Speed Lifts and Light Speed Lifts Taking note of the fact that lifts have to be mechanically operated and involve the same skill whether it be High Speed or Light Speed Lift and keeping the historical background in relation to this service in view, we direct the lift operators serving under the Central Public Works Department to be given the same pay-scale as admissible to Lift Operators operative High Speed Lifts This direction shall be effective from December 1, 1987 Writ Petition is disposed of without any order for costs

New Delhi,

November 23, 1987

Sd/- Rarganath Misra.

Sd/- S. Ranganathan

[No L-42013/1/86-D.II(B)]

नई दिल्ली, 19 फरवरी, 1988

का आ 825 —औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल सिल्क बोर्ड के प्रबन्धतन्त्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बंगलौर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12 फरवरी, 1988 को प्राप्त हुआ था।

New Delhi, the 19th February, 1988

S O. 825 —In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bangalore, as shown in the Annexure, in the industrial dispute between the employes in relation to the management of Central Silk Board and their workmen, which was received by the Central Government on 12th February, 1988

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM-LABOUR COURT, BANGALORE

PRESENT

Sri B N Talge, B A (Hons) L L B, Presiding Officer

Central Reference No 151/87

FIRST PARTY

The President,
Central Silk Board Employees' Union,
No 17/1, 13th Cross Road,
Mahalakshmipuram,
Bangalore-560086

SECOND PARTY

Member-Secretary
Central Silk Board
United Mansions,
Mahatma Gandhi Road,
Bangalore-560001

APPEARANCES

For the first party—Sri B N Vijaykumar, President

For the second party—Sri Shivaraj Patil, Advocate

AWARD

Dated 8th day of February, 1988

The Government of India Ministry of Labour, by its order No L-42012|163 86-D II(B) dated 7th September, 1987 has made the present reference on the following point of dispute

2 "Whether the management of Central Silk Board is justified in terminating the services of Shri S Govindamurthy, from National Silkworm Seed Project, Chickkaballapur with effect from 13th June, 1986? If not to what relief the workman is entitled?"

3 Notices were duly served on the parties

4 Shri B N Vijaykumar has filed his authorisation for the first party Sri Mari Gowda has filed a vakalat for the second party

5 When the matter was called for hearing on 8th January, 1988, the representative for the first party filed a memo stating that the workman has been reinstated and that the first party has agreed to forego the back wages and that the case may be closed

6 The Memo has been recorded and so also the submissions of the parties

7. I find that the dispute does not exist any longer and that there should be an award in terms of the Memo filed by the 1st party, that the reference stands closed, being satisfied by mutual consent.

8. In the result, an award is passed to the effect that since the workman has been reinstated and since he has given up his other claims, the dispute does not exist any longer and that it stands closed.

B. N. LALGE, Presiding Officer
[No. L-42012/163/86-D.II(B)]

का.आ. 826 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, ई. एस. आई सी. कारपोरेशन के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली, के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12 फरवरी, 1988 को प्राप्त हुआ था।

S.O. 826.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Dy. Director, E.S.I. Corporation, Delhi and their workmen, which was received by the Central Government on the 12th February, 1988.

ANNEXURE

BEFORE SHRI G. S. KALRA, PRESIDING OFFICER, CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 72/86

In the matter of dispute between :
Shri Suraj Pal,
C/o General Secretary,
India Engineering & General Mazdoor Union,
E-127, Karam Pura, New Delhi.

Versus

The Deputy Director,
E.S.I. Corporation,
23-23-B, Ansari Road,
Darya Ganj, New Delhi.

APPEARANCES :

None—for the workman.
Shri Naresh Kumar—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its notification No. L-15012/1/86-D.II(B) dated 20th October, 1986 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of E.S.I. Corporation in terminating the services of Shri Suraj Pal with effect from 13th August, 1984 is justified ? If not, to what relief the workman is entitled ?"

2. The case of the workman as set forth in the statement of claim is that he was appointed by the Management as Peon w.e.f. 4th October, 1983 and his services were terminated on 13th August, 1984 without giving him any notice or paying him any wages in lieu of notice or any retrenchment compensation and hence there has been violation of section 25-F of the I.D. Act. Therefore, he prayed for reinstatement with continuity of service and full back wages.

3. The Management controverted the claim of the workman and submitted that the workman had not completed 240 days of service in each of the two preceding years and he was not entitled to any notice or wages in lieu of notice or retenchment compensation There has been no violation of section 25-F of the I.D. Act. It was further stated that the workman is gainfully employed.

4. The case was fixed for filing of rejoinder by the workman but the workman started absenting w.e.f. 25th January, 1988. It appears that he is not interested in pursuing his claim. Hence no dispute award is given and this reference is disposed of accordingly.

G. S. KALRA, Presiding Officer

8th February, 1988

Further it is ordered that the requisite number of copies of this Award may be forwarded to the Central Government for necessary action at their end.

8th February, 1988.

G. S. KALRA, Presiding Officer
[No. L-15012/1/86-D.II(B)]

नई दिल्ली, 25 फरवरी, 1988

का.आ. 827 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार उत्तर रेलवे, नई दिल्ली के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15 फरवरी, 1988 को प्राप्त हुआ था।

New Delhi, the 25th February, 1988

S.O. 827.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Chandigarh, as shown in the industrial dispute between the employers in relation to the management of Northern Railway, New Delhi and their workmen, which was received by the Central Government on the 15th February, 1988.

ANNEXURE

BEFORE SHRI M. K. BANSAL, PRESIDING OFFICER, CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 60/86

PARTIES :

Employers in relation to the management of Northern Railway,

AND

Their workman Parshotam Lal.

APPEARANCES :

For the workman—Shri Pardeep Gupta.
For the management—Shri N. K. Zakhmi.

INDUSTRY : Railway. STATE : Haryana.

Dated, the 8th February, 1988

AWARD

Central Government vide gazette notification No. L-41025/34/84-D.II(B) dated 9th October, 1986 issued under Section 10(1)(d) of the Industrial Disputes Act 1947 referred the following dispute to this Tribunal for decision :

"Whether the action of the management of Senior Engineer Northern Railway, Shimla in terminating the services of Shri Parshotam Lal vide their termination order dated 28th December, 1983 is legal and justified ? If not, to what relief the workman Shri Parshotam Lal is entitled to ?"

2. The case of the workman is that he joined service as casual labourer at Sirhind district Patiala under the control of PWI Sirhind Northern Railway. That in October 1979 workman joined at Kalka under the control of PWI Kalka Northern Railway. That on 1st August, 1980 workman joined gang No. 1 as permanent labourer after medical examination. As per order of PWI Kalka dated 29th August, 1980 workman was transferred under control of Gang No. 6 where he worked upto 3rd February, 1984. That on 4th January, 1984 workman received one month termination order dated 28th December, 1983 which is as under :

"In the casual labour screening it has been revealed that you have altered the date of joining service in your service record. You have made, 28th

178 instead of 29th August, 78 just to get an employment in Rly's. This has also been verified from the record of FWI-SIR. Your services are hereby terminated with one month notice."

Workmen alleged that above order is in fact dismissal order and is void as it was passed without holding any inquiry. It was further alleged that even if the order is deemed to be order of retrenchment of casual labour still the same is violative of the provisions contained in Sub-Sections (B) and (C) of Section 25-F of the Industrial Disputes Act, 1947 so he prayed for setting aside of the order of dismissal. He also claimed re-instatement with back wages.

3. The management in their reply alleged that workman was appointed on 29th August, 1978 at Sirhind. His working with the Railway of various dates was also admitted. It was alleged by the management that on recruitment of the workman a casual Labour Card was also issued to him. That at Kalka workman worked for 120 days. That under Railway rules a casual labourer who complete 120 days continuous service become eligible for revised pay scale and also become entitled to all benefits as are enjoyed by permanent staff. But workman remains a casual labourer. That he can be made permanent only after screening. That workman having completed 120 days continuous service at Kalka was allowed the grade of regular employee but he was not made permanent before screening. That screening of casual labour was fixed in the year 1983 for the dates 3rd August, 1983 and 4th August, 1983. At that time it was detected that workman has changed the date of his appointment as casual labourer at Sirhind from 29th August, 1978 to 28th August, 1978. That preliminary inquiry was held in which it was found that date has been altered by the workmen. That this services were terminated. That workman being casual labourer is not entitled to re-instatement and the order does not amount to retrenchment.

4. Both the parties placed affidavit on the file. I have heard the parties and gone through the file. The case of the Railway is that as workman was not a permanent employee so his services could be terminated. That in the present case termination of services of workman does not amount to retrenchment. To this contention I do not agree. Their Lordships of the Supreme Court in the authority reported as State Bank of India Vs. N. Sundermony 1976 (1) L.L.J. 478 have held that termination of the services of the workman for any reason whatsoever is retrenchment except covered under exception provided under Section 2(oo). Said exceptions are as under :

(a) Voluntary retirement of the workman ; or

(b) retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf ; or

(c) termination of the service of a workman on the ground of continued ill-health ;

termination of services of workman does not fall in any of the above exceptions. It is also admitted that while terminating the services of the workman no retrenchment compensation was paid to him for the post service rendered. It is also admitted that workman was in reemployment on the railway since 1980 and was getting pay and allowances as admissible to regular employees. It is also admitted that workman's services were terminated as he altered the date of his appointment in the Labour Card. So order of termination in the present case appears to have been passed as a result of disciplinary action which the management wanted to take. It is also admitted that no departmental inquiry was held before passing the above order. So order of termination is void. The effect is that workman is liable to be reinstated in service from the back date i.e. 3rd February, 1984.

5. As regard the claim for back wages is concerned, workman cited before me Raj Kumar Vs. Delhi Administration (1984) 4 Supreme Court Cases 635. In the above reported case workman was found to be helping his father-in-law during the period when he remained out of service. There lordships while reinstating him ordered the payment of back wages in full. It was held by their Lordships that working with father-in-law does not amount to gainful employment. Same is the case here. Here also workman is not proved to be gainfully employed except admission of workman that he used to help his father in agriculture. So I am of the view that workman is entitled to back wages also.

6. So it is held that order of termination of services is void and he is entitled to re-instatement in service with back wages from 3rd February, 1984. In a way reference is answered in favour of the workman and returned as such.

Chandigarh.

M. K. BANSAL, Presiding Officer
[No. L-41025/34/84-D. II (B)]

नई दिल्ली, 26 फरवरी, 1988

का.आ. 828:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भाखड़ा बियास मैनजमेंट बोर्ड के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18 फरवरी, 1988 को प्राप्त हुआ था।

New Delhi, the 26th February, 1988

S.O. 828.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Chandigarh, as shown in the Annexure in the industrial dispute between the employers in relation to the management of Bhakra Beas Management Board and their workmen, which was received by the Central Government on the 18th February, 1988.

ANNEXURE

BEFORE SHRI M. K. BANSAL, PRESIDING OFFICER, CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 2/86

PARTIES :

Employers in relation to the management of Bhakra Beas Management Board.

AND

Their workman Harpa.kash.

APPEARANCES :

For the workman—Shri R. K. Singh.
For the management—Shri C. Lal.

AWARD

Dated, the 11th February, 1988

Central Government vide gazette notification No. L-42012 (11)/85-D. II(B) dated 1st January, 1986 issued under Section 10(1)(d) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for decision :

"Whether the action of the management of BBMB (Irrigation) Wing, Nangal Township, in terminating the services of Shri Harparkash, S/o Shri Daulat Ram Welder, working at Nangal Township, w.e.f. 30th January, 1983 is justified and in order. If not, to what relief is the workman concerned entitled ?"

2. The case of the workman is that he joined as welder in work charge capacity in Nangal Workshop Division w.e.f. 2nd August, 1982 and remained there upto 29th January, 1983. That his services were terminated w.e.f. 30th January, 1983. Junior to the workman were retained in service. So it was alleged that termination is violation of the principle contained in Section 25-G of the I.D. Act, 1947. That after retrenchment of the workman many other welder were recruited without giving chance of re-employment to the workman, which is violative of Section 25-H of the I.D. Act 1947.

The workman alleged that termination of his service is void and he claim re-instatement with back wages and continuity in service.

3. The management in their reply alleged that BBMB is not an Industry, so present reference is void. That wo kman was appointed on temporary basis for a period of 89 days from 2nd August, 1982 to 29th October, 1982 and was again appointed for 89 days for second period 2nd November, 1982 to 29th January, 1983. That question of termination of the services of workman does not arise. It was also denied that any junior was retained in service. It was alleged that there is no violation of the principles contained in Section 25-H of the I.D. Act, 1947.

4. Both the parties in support their allegation placed affidavits on the file. The management in their affidavit supported the facts as alleged in their reply. In cross MW1 Ajmer Singh admitted that fresh appointment was given to the workman before his previous term could have expired. That services of the workman came to an end by afflux of time. So no compensation was paid.

5. I have heard the parties and gone through the file. In the present case it is the case of the workman that he remained employed as work charged welder from 2nd August, 1982 to 29th January, 1983 i.e. for period of less than 240 days. So workman does not get any right to claim retrenchment compensation or notice prior to his termination. There is no evidence that any junior to the workman was retained nor there is any cross-examination on this point. So question of violation of the provisions contained in Section 25-G is also not there.

6. It is contended by the counsel for the management that as workman has not completed 240 days of service so provisions of Section 25-H of the I D. Act are also not applicable in the present case. To this contention I do not agree. It has been laid down in the authorities reported as Prabhakaran & others Vs. G. M. Kerala S.R.T.C. 1981 L.L N 510, Nav Bharat Hindi Daily Vs. Nav Bharat Sons 1984(II) L.L.N. 132 (Bombay) and that to get benefits of Section 25-H it is not necessary that workman should have completed 240 days service. In the authority reported as Nawashahar Central Co. Bank Vs. Labour Court (1980) 57 F.J.R. 206 our own High Court directed the management to give re-appointment to the workman though they had not completed 240 days service prior to their retrenchment. It was held in the above authority that workman is entitled for re-appointment and is entitled to preference on the others. Same is the case here. Here workman has worked with BBMB for a period of 160 days. There is no evidence that there was any sort of complaint about the working of the workman. So I am of the view that workman was entitled to a chance for re-appointment before other persons are employed

7. So it is held that there is violation of the principal contained in Section 25-H of the I.D. Act 1947. The effect is that workman is entitled to re-appointment from the date when he reports for duty. The workman will report for duty within 15 days from the date of publication of this Award Reference is answered accordingly. Otherwise the order of termination is valid.

Chandigarh,

M. K. BANSAL, Presiding Officer

[No. L-42012/11/85-D II(B)]

HARI SINGH, Desk Officer

नई दिल्ली, 15 फरवरी, 1988

का. आ. 829—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबन्धतंत्र के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को प्राप्त हुआ था ।

New Delhi, the 15th February, 1988

S.O. 829.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the State Bank of India and their workmen, which was received by the Central Government.

ANNEXURE

BEFORE SRI ARJAN DEV, PRESIDING OFFICER, CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, KANPUR, UTTAR PRADESH

Industrial Dispute No. 110 of 1986

Reference No. L-12012/142/85-D.II (A) dated 28-7-86

In the matter of dispute between :

The Chief Manager, State Bank of India, Main Branch. Mall Road, Kanpur.

AND

Shri Hazari Lal, 63/38 Harbans Mohal Kanpur.

AWARD

1. The Central Government, Ministry of Labour, vide its Notification No. L-12012/142/85-D.II (A) dated 28-7-86, has referred the following dispute for adjudication to this Tribunal for adjudication :

Whether the action of State Bank of India, in terminating the services of Sri Hazari Lal Ex-peon-cum-waterman w.e.f 1-3-76 and not considering him for further employment while recruiting fresh hand is fair and justified ? If not, to what relief the workman concerned is entitled ?

2. The claim statement filed by Sri Hazari Lal is in the form of an application. It bears no verification clause verifying the contents of the application. The case set up by him in his application in short is that he had worked in the Main Branch of State Bank of India, Kanpur from 1971 to 1976 as Waterboy and Peon. In 1973, he was selected for the post of Driver. Sri Nathan, the then Security Officer, had ordered that he should be made permanent within 15 days, but instead of making him permanent he was thrown out of the job and in his place one Mohd. Rafiq was kept in service. Said Mohd. Rafiq has been getting wages from the Bank in his name.

3. The management has contested the application/claim of Sri Haza i Lal. The management pleads that the claimant was engaged as casual/job contractor worker on daily wages against a casual/adhoc/job contract requirements at the branch and that between 1971 to 1976 he had worked for a total number of 88 days, 33 days from June to December in the year 1971. 31 days from June to September in the year 1972. 16 days from November to December in the year 1974 and 8 days in the months of June and March in the year 1976. The services of claimant were terminated as no longer required w.e.f. 7-3-76. On account of his having worked for 8 days only during his last employment in the vear 1976, his case is not covered by provisions of section 25-F Industrial Disputes Act. The termination of his services w.e f. 7-3-76 was thus fully legal valid and justified. Further the claimant having settled his accounts voluntarily and without protest by accepting all his dues, he is estopped from challenging the said termination at such a belated stage on any ground whatsoever. The above engagements of the workman were for limited periods and thus these engagements ended by afflux of time. The management has also raised some legal pleas. These are that the claimant has not filed a formal claim statement duly verified in accordance with sub para (1) of Rule 10-B of Industrial Disputes Act, 1957: that the case of the claimant does not fall in the category of the term "Workman" as defined in section 2(s) of the Act read with para 169 of Desai Award; and that the dispute raised by claimant is highly belated.

4 In this case in support of its case the management has filed the affidavit of Sri Jagdish Saran Nigam, an officer of State Bank of India, posted at Kanpur Main Branch. No affidavit has been filed by Sri Hazari Lal in support of his case despite the fact that sufficient opportunity was given to him for it Rather on 14-1-88 he stated before the Tribunal that he has not to file any affidavit in support of his case. Sri Jagdish Saran Nigam, management witness, was duly cross examined on behalf of Sri Hazari Lal.

5. In this case the management witness has corroborated the case set up by the management in its written statement that Sri Hazari Lal had worked for a total number of 88 days from June 1971 to March 1976. His evidence gets corroboration from the report of the Commissioner Sardar Amreek Singh. On 9-1-87, Sri Hazari Lal moved an application before the Tribunal with the prayer that payment registers of the last 5 years be summoned from the management as it will prove that Rafiq had been drawing his salary as a driver in the name of Sri Hazari Lal. On the said application my learned predecessor ordered the management to file reply and payment register, as summoned by Sri Hazari Lal. Against the said application management filed a reply contending that no person by the name of Sri Rafiq was appointed as a perment driver by Personnel Department state Bank of India, Local Head Office, then at Kanpur, w.e.f 17-8-78. In the reply it was further stated that Abdul Rafiq Driver had been drawing salary and allowances in his name and that on 26-7-86 said Sri Abdul Rafiq was promoted and transferred to Lucknow Main Branch as Cashier cum Clerk. Subsequently on 28-4-87, another application was moved by management for the appointment of Commissioner, on the ground that it was not possible to bring the voluminous records to the Tribunal. Thereupon my learned predecessor appointed Sri Hamid Qureshi Advocate as Commissioner and directed him to submit his report on the following points :—

1. Till what time name of workman was continued in S.B.I. as a temporary.

2. If some Rafiq was appointed later, if so, when.

3. If Rafiq was engaged after termination of workman and at his place.

Subsequently by means of his application dated 1-9-87 Sri Hazari Lal applied for appointment of some other commissioner in place of Sri Qureshi Advocate. On his said application and in the presence of the Commissioner, the Tribunal allowed the application and appointed Sardar Amreek Singh Advocate as Commissioner in place of Sri Hamid Qureshi. The new Commissioner was directed to give his report on the points referred to above and also on one more point referred to in the order dated 20-8-87. The Commissioner was further directed to give his report on the point whether any other man had drawn salary in the name of Sri Hazari Lal from the bank after March 1976 and upto March 1987.

6. Sardar Amreek Singh submitted his report on 21-9-87. Against it Sri Hazari Lal filed objection. On 21-10-87 the Commissioner's report was confirmed and the objection against it was rejected. The report shows that documents were examined by the Commissioner in the presence of Sri Hazari Lal in Branch of State Bank of India at Lucknow. Since the report was not on all the points, the management was directed to produce the remaining documents before the Tribunal. On 11-11-87, Sri S. N. Sharma, authorised representative for the management made an application stating that he had brought all the records for inspection by Tribunal. He also filed an extract showing wages paid to Sri Hazari Lal with dates and days for which payments were made. Again the said Commissioner was directed to check the register and verify the statements filed by the management. After checking the register the Commissioner verified the correctness of the statement filed by the Management.

7. In his report dated 21-9-87, the Commissioner stated that on inspection of documents he had found that Abdul Rafiq driver was appointed on probation w.e.f 17-6-78 at Rs. 116 per month and his name continued thereafter in the months of July, September 1978 and he was till working as regular employees His name however did not appear during the period March 1976 to May 1978. He also stated that Sri Abdul Rafiq was employed by bank after the termination of services of Sri Hazari Lal and that the bank's record did not disclose that Sri Abdul Rafiq was employed in place of Hazari Lal Lastly he stated that he did not find any entry in any record which might go to show that any other person had drawn salary in the name of Sri Hazari Lal from the bank The report thus covered information on points No. 2 and 3 of order dated 28-4-87 of my learned predecessor and on the point referred to in the Tribunal's order dated 20-8-87. On point No. 1 of order dated 28-4-87 information can be had from the statement filed by the management on 11-11-87. As already said the statement was checked by Commissioner. It shows that Sri Hazari Lal had worked for 86 days from 17-6-71 to 12-3-76. It further shows that during the period of 12 months preceeding the date of termination of his services he had worked only for 5 days. In the W.S. it is given that he worked in that year for 8 days. Whether it is 5 days or 8 days, his case is not covered by section 25-F of the I. D. Act nor by any other proivsions of I. D. Act of which he could get any benefit.

7. Thus from the above discussion of evidence and circumstances I hold that the action of the management in terminating the services of Sri Hazari Lal Ex-peon-cum-waterman and not considering him for further employment was justified Accordingly, Sri Hazari Lal is held entitled to no relief.

8 Reference is answered accordingly.

ARJAN DEV, Presiding Officer
[No. L-12012/142/85-D.II (A)]

का. आ. 830—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबन्धतंत्र के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को प्राप्त हुआ था।

S.O. 830.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur, as shown in the Annexure in the industrial dispute between the employers in relation to the Punjab National Bank and their workmen, which was received by the Central Government.

ANNEXURE

BEFORE SRI ARJAN DEV, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, KANPUR

Industrial Dispute No. 96 of 1986

Reference No L-12012/134/85-D.IV (A) dated 12-6-85

In the matter of dispute between :

The Deputy General Secretary, P.N.B. Employees Union

C/o Punjab National Bank, Urdu Bazar, Gorakhpur.

AND

The Regional Manager, Punjab National Bank Regional Office, Betia Hata, Gorakhpur.

APPEARANCES :

Shri V. N. Sekhari, representative—for the workman.

Shri S K. Paida—for the management.

AWARD

1. The Central Government, Ministry of Labour, vide its Notification No L-12012/134/85-D.IV (A), dated 12-6-86, has referred the following dispute for adjudication to this Tribunal :

Whether the action of the management of Punjab National Bank, Gorakhpur, in retiring Sri Ram Sewak Dubey, Daftari, Industrial Area Branch, Gorakhpur, w.e.f. 31-5-85, is legal and justified ? If not to what relief the workman concerned is entitled ?

2 The admitted facts of the case are that the workman joined service of the Bank as Peon in Branch Office Bank Road, Gorakhpur, on 23-11-46 and he was retired from service on 31-5-86 while he was posted as Daftari in Branch Office, Industrial Area Gorakhpur. The workman's case in

brief is that while he was posted in B.O. Industrial Area, Gorakhpur, the Branch Manager, made an enquiry from him about his date of birth. On his telling that his date of birth was 3-10-27, the Branch Manager made enquiries in this regard from Branch Manager, B.O. Bank Road, Gorakhpur, who informed him that as per bank's record his date of birth was 12-5-25. When the Branch Manager on the basis of information received by him from B.O. Bank Road, Gorakhpur, informed him about it, he made a representation on 22-11-84 reiterating that his date of birth was 3-10-27 and not 12-5-25 and with it he submitted a copy of Kutumb Register maintained by Gram Sabha of his village. The Branch Manager referred the matter to the Regional Office of the Bank at Gorakhpur, and by means of letter dated 17-5-85, he was informed that the Regional Office had decided to retire him from Bank's service on 31-5-85. Upon that he made the endorsement on the letter dated 17-5-85, copy of which is Annexure W-1, that the basis on which the decision to retire him on 31-5-85 had been taken be conveyed to him. Not only that he made a separate representation, copy Annexure W-2, on 20-5-85 in this regard. However, the very same day he was informed vide copy of letter Annexure W-3 that after reconsideration of his case, the Regional Office had decided to retire him on 31-5-85. The workman alleges that the decision taken by Regional Office Gorakhpur is illegal, unjustified and arbitrary. The management did not give any reasons whatsoever for not accepting his claim which was supported by documentary evidence. There is no documentary proof with the bank that he had declared his date of birth as 12-5-25 at the time of his appointment. The identity form on which the management seems to have placed reliance does not disclose that he had given his date of birth as 12-5-25. It appears that in order to deprive him of his right to continue in service till 2-10-87 the entry against the column meant for date of birth was purposely mutilated/torn by some interested persons. The entry regarding his date of birth in the Kutumb Register should have been believed as Kutumb Reigster is maintained by a statutory body created by law. Photostat copy of the Kutumb Register is Annexure W-4. Hence in these circumstances he should be allowed to continue in service till 2-10-87 with all the benefits.

3. The defence set up by the management is that as per workman's declaration on identity form executed by him on 16-6-47, his date of birth is 12-5-25. It was on the basis of the declaration given by him on the identity form that his date of birth was recorded in his service book as 12-5-25. Photostat copy of the identity form bearing the signatures of the workman is Annexure D. It is found mutilated at places, may be on account of passage of time or with a deliberate intention for ulterior motive. Prior to his posting at B.O. Industrial Area, Gorakhpur, workman was woking at B.O. Bank Road, Gorakhpur where his service book was maintained. The workman never objected to his date of birth recorded in the bank's record through out his service except 10 days before his date of retirement. As per declration made by him on the identity form the workman is IVth Class pass. Further prior to his appointment in the bank, he had worked in the Central Bank of India. For obvious reasons the workman has not supplied the management certificate of his educational qualifications as well as service certificate from his previous employer. The photostat copy of the Kutumb Register produced by the workman is not acceptable to the bank in regard to proof of date of birth. The bank has laid down rules regarding admission of date of birth of the employees in the bank vide Staff Circular No. 86 of 25-5-54 copy Annexure C.

4. In rejoinder the workman alleges that the bank never asked him to produce the School Leaving Certificate. The other facts alleged by him are mere reiteration of the facts earlier alleged by him in his claim statement.

5. In this case whereas in support of his case the workman has filed his own affidavit, the management has filed the affidavits of two branch manager, namely, Sri H. N. Chatterjee and Sri S. M. Mishra. Sri H. N. Chatterjee has been Branch Manager B.O. Bank Road, Gorakhpur, from 7-4-81 to 11-2-84 and Sri S. M. Misra had been Branch Manager B.O. Industrial Area, Gorakhpur, from 11-9-84 to 15-4-86. The witnesses of both the parties have been cross examined by the other party.

6. It is settled law that a workman has a right to continue in service until he attains the age of superannuation and if his service records indicates a particular date as his date of birth ,that date of birth must be accepted for the purposes of determining the age of superannuation. But at the same time he has also a right to show that the recorded entry of his date of birth is erroneous. Where an application is made by a workman in this regard and the management finds substance in it, the management is bound to give effect to it and alter relevant entry in the service record. There is no time limit for seeking such a correction. A time limit can be imposed only by way of a provision having the force of law. Further if a representation is made by the workman for correction of his date of birth, it must be disposed of in accordance with principles of natural justice and by means of a speaking order. If the principles of natural justice are not followed or the order rejecting the representation is not a speaking order, such an order passed by the managment will be held as illegal. The principles of natural justice require that the workman should be given an opportunity to substantiate his view point. In the instant case there is nothing from the side of the management to show that the various representations made by the workman in this case were disposed off by means of a speaking order and by observing the principles of natural justice.

7. The workman's case is that the first representation in this regard was made by him on 22-11-84. This fact has been denied by the management in the written statement. Annexure W-1 to the claim statement is the photostat copy of the letter dated 17-5-85, from the Manager to the workman in which reference is found to the letter dated 22-11-84, of the workman. Although the copy of representation dated 22-11-84 has not been filed by the workman, looking to the background to the facts it can be inferred that it must have been with regard to workman's case about the date of birth. On this letter an endorsement of the workman appears. The endorsement is to the effect that he should be informed the basis on which the decision had been taken against him. He asserted that his date of birth was 3-10-27 and accordingly the bank's record be corrected.

8. Annexure W-2 to the claim statement is the photostat copy of representation dated 20-5-85 of the workman. In it he also alleged that in support of his case that his date of birth was 3-10-27, he was filing the medical certificate of C.M.O. and copy of Kutumb Register.

9. Annexure W-3 to the claim statement is the photostat copy of the letter dated 20-5-85 from the Branch Manager to the workman. By means of this letter Branch Manager informed the workman that after reconsideration of his case on the basis of the documents submitted by him the Regional Manager had taken the decision to retire him on 31-5-85 taking his date of birth as 12-5-25. All these three documents have been admitted by the management. This is all from the side of the management with regard to the representation made by the workman. The management has not filed the order of the Regional Manager rejecting the representation of the workman. On the basis of the evidence on record it can be safely said that the representations were disposed of without observing the principles of natural justice and further that in all likelihood the order must have been a non speaking order. In the circumstances it becomes the duty of this Tribunal to give its own finding on the basis of evidence on record with regard to the date of birth of the workman.

10. Annexure D to the written statement of the management is the photostat copy of the Identity Form of the workman. In his cross examination the workman has admitted that it bears his signatures at two place, one on the photograph and the second at the bottom. He has further admitted that it also bears his thumb impression. According to him the date 28-4-47 on it is in his handwriting. The Identity form was filled in by the Accountant Sri Avadhbehari Lal Srivastava, who while filling it had been making enquiries from him. The query at Serial No. 5 is with regard to the date of birth of the workman. This portion where date of birth was noted gives a blank look, may be due to the fact that this portion of the Identity form might have been mutilated deliberately or otherwise. What I want to stress is that the most important information regarding date of birth of the workman is missing.

11. Annexure B to the written statement is the extract from the service record maintained vide staff department circular No 289 dated 26-11-57. In it at Serial No. 5, the name of the workman is recorded and against his name in the column of date of birth date 12-5-25 is written. This has been proved by Sri H. N. Chatterjee. In para 5 of his affidavit he has deposed that in persuance of instructions contained in the aforesaid circular for maintenance of service records at Serial No. 5 of the register the date of birth of the workman is recorded as 12-5-25.

12. Now let us see how entries in the Identity Form and the service register are made. In para 3 of his affidavit Sri Chatterjee has deposed that Name, Father's name, date of birth, Educational Qualifications, Age and other relevant particulars are recorded in the Identity Form on the basis of the information contained in the declaration given by the employee. It further appears that entries in the service register maintained under circular No 289 dated 26-11-57 are made on the basis of the said information/declaration/Identity Form. The basis is, therefore, the declaration which the employee gives even before the preparation of the Identity Form. Sri Chatterjee has, in his cross examination, however, deposed that there declarations must be in the personal file of the workman. The personal file of the workman containing the declaration has not been produced. As such in the absence of the examination of the person who made entries in the service register it cannot be said with certainly that the date of birth entered in the service register of the workman was correctly recorded

13. Even assuming that 12-5-25, was given by the workman as his date of birth at the time of joining service, still he has got a right to show that it is not his actual date of birth and that his actual date of birth is different.

14 We have to see whether the workman in this case has been able to prove that the date of birth recorded in the service record is incorrect and that his true date of birth is something else

15. Firstly, the workman has placed reliance on the entry regarding his date of birth noted in the Kutumb Register and scondly, he has relied on the School Leaving Certificate.

16 With the claim statement the workman filed the photostate copy of the certified copy of the Kutumb Register, and on the date of arguments he filed the original certified copy of the Kutumb Register. In it the date of birth of the workman is recorded as 3-10-27 and that of his brother Shiv Sewak is recorded as 4-9-29. In the column of occupation the word Agriculture is written against the name of the workman and word service is written against the name of his brother. This copy was issued on 28-3-55, when the workman was in the service of the bank The authorised representative for the management has argued that no reliance can be placed on the entries regarding date or birth given in this register, in view of incorrect description of occupation mentioned against the name of the workman This, in my opinion, is not sufficient to discard the document. If the management had any doubt about the genuineness of this document it could have summoned the original Kutumb Register from the Gram Sabha. Having not done so and having not challenged the identity of the person shown in it I see no reason to discard this document specially when it was filed in the court of Additional Munsif Gorakhpur in Original Suit No. 1989 of 55, when the matter in issue regarding the date of birth of the workman had not cropped up between the workman and the management.

17. The other document is the School Leaving Certificate on 1-8-86 management moved an application before this Tribunal with the prayer to direct the workman to furnish the name and address of the School from which he had passed IVth standard of Hindi Vernacular alongwith copy of the certificate It was in persuance of the order passed by Tribunal on this application that the workman filed the photostat copy of School Leaving Certificate with his application dated 7-11-86 In the date of birth of the workman is recorded as 31-12-27. Regarding workman's different dates of birth recorded in this School Leaving Certificate, the authorised representative for the management again raised a point that date of birth of the workman having given differently in the certificate and in the Kutumb Register no reliance can be placed on these two documents. No doubt the date of birth is differently given in these two documents but it can be no ground for not believing the workman. The date of birth noted in the School Leaving Certificate must have been got recorded by some elderly member of the family of which the workman was a member. He could be his father or even his mother. Similar could be the case in the case of Kutumb Register. There could be a difference of one or two months but there cannot be a difference of almost 14 years. As been said in connection with the certified copy of Kutumb Register had the management any doubt regarding its genuineness, it could have very well summoned the original record of the Primary School which had issued it. Entry regarding date of birth having been made much before the joining of bank's service by the workman, it cannot be brushed aside lightly on whimsical arguments. If the workman had liked he could have claimed the benefit of the entry appearing in the School Leaving Certificate because of it having been made prior to the entry in the Kutumb Register. But he has not done so He is basing his claim on the basis of entry of date of birth given in the Kutumb Register.

18. Workman, as is evident from the facts of this case is not a well educated man. As has been deposed to by him in his cross examination he is only class III pass. Therefore, the possibility of mistake having been committed by him in giving the date of birth at the time of joining service cannot be ruled out

19. From the above discussions of evidesce and circumstances, I hold that the date of birth of the workman is 3-10-27. Hence the action of the management of Punjab National Bank, Gorakhpur in retiring the workman on 31-5-85 cannot be held as legal and justified. The Bank should have retired him on his attaining the age of 60 years treating his date of birth as 3-10-27, according to rules. The workman is, therefore, entitled to salary in accordance with rules upto 2-10-87 and retirement benefits which he would have got if he had retired on the said date.

20 Award is given accordingly

ARJAN DEV Presiding Officer
[No. L-12012/134/85-D.IV (A)/Pt.]

का. आ. 831.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार विजय बैंक के प्रबन्धतंत्र के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलौर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को प्राप्त हुआ था।

S.O. 831.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure in the industrial dispute between the employers in relation to the Vijaya Bank and their workmen, which was received by the Central Government.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM-LABOUR-COURT AT BANGALORE

Sri B. N. Talge, B.A. (Hons.) LL.B, Presiding Officer.

Central Reference No. 51|87

Old Central Reference No. 15|86

FIRST PARTY :

Shri N. Suresh Kamat, Ex. Peon, Vijaya Bank, Coondapura Ferry Road, Post Gangooli, Coondapura Taluk, South Kenara.

Vs.

SECOND PARTY .

The General Manager, (Administration) Head Office, Vijaya Bank, Trinity Circle, 14 M G Road, Bangalore

APPEARANCES .

For the first party—Sri K S Nambiar, Advocate

For the second party—Sri M. Jayarama-Shetty, Advocate

Dated 12th day of January, 1988

AWARD

By exercising its powers under section 10 (1) of the Industrial Disputes Act, by an order No L-12012|101|85-D IV (A) dated 19-8-86, the Government of India, Ministry of Labour made the present reference to the Industrial Tribunal constituted by the State Government.

2 By a General Order No L-11025|A|87-D-IV (B) dated 13-2-1987, it has been transferred to this Tribunal and it is at Sl No 51

POINT OF DISPUTE

'Whether the action of the management of Vijaya Bank in relation to its coondapura Branch in terminating the services of Shri N Suresh Kamath substaff with effect form 4-2-1985 is justified ? If not, to what relief is the workman concerned entitled ?".

3 The first party workman has been filed his claim statement and his contentions in brief are as follows —

He joined the second party as a peon in 1972 and he was working til 4-2-1985. He has been dismissed from service by the management on the basis of an enquiry report of Sri Y S. Shetty Three charges were levelled against him The enquiry officer held that two charges were proved against him and he is not guilty of the third charge He had sent his explanation dated 3-5-1982 for the charge sheet The enquiry was held against the principles of natural justice He has permitted some other witnesses, who are not shown in the witness list to be examined by the management His findings are erroneous. Charge No 1 was framed on the basis of a complaint given by one Bhaskar Hegde but he was not examined, and no explanation was given for his non-examination. Bhaskar Hegde had given a letter Ex D-1, but the enquiry officer has not considered its impact As regards charge No 2, Sri Amiruddin, who had made the complaint denied the allegations and he was examined as DW-1 The enquiry officer has not appreciated his evidence correctly. The enquiry officer has observed that the management had not been given sufficient scope to cross-examine Amiruddin, but he cannot complaint against himself The evidence of DW-2 shows that the relationship between the workman and the branch manager was not good, but the said fact has been ignored The evidence of DW-3 shows that no complaint was entered in the complaint register. In the enquiry proceedings it was established that his statements were taken under coercion They should not have been relied upon The findings are not correct The punishment is disproportionate to the charges levelled against him An award may be passed setting aside the order of dismissal, for re-instatement and consequential benefits

4. The second party has filed its counter statement and its objections, in brief are as follows —

The second party is not a banking company as defined in the Industrial Disputes Act and reference is not maintainable The domestic enquiry held against him is in accordance with the bi-partite settlement and principles of natural justice He was represented by an office bearer of the trade union He was given full opportunity to defend himself There is no bar for the examination of witnesses, other than those shown in the list. They have been cross-examined by the first party and no prejudice has been caused to him He was permitted to examine his own witnesses The findings of the enquiry officer are based on cogent reasons Sri Bhaskar Hedge was won over by the first party and he was not willing to give evidence His complaint Ex M 8 was duly proved Signature in the pass book has been duly proved to be forged by the workman. The workman has not examined Bhaskar Hedge. The letter Ex D-1 was written long after the commencement of the enquiry It shows that it was written to help the workman It does not show that a sum of Rs 200 has been credited to his account The non-remittance of the amount has been proved by satisfactory evidence Sri. Amiruddin was won over by the first party workman His cross examine shows that he was not aware of the transactions of the S B account and that his father used to attend to the said account The appreciation of evidence of Amiruddin is correct The other allegations made by him are not correct Though the workman was present through out the enquiry he did not chose to examine himself Punishment of dismissal is proper and justifiable, since the misconduct was of misappropriation and forgery, the second party is a Banking Institution and highest integrity and honesty are expected from its employees The reference may be dismissed

5 In view of the said pleadings the following two additional issues were raised

1 Whether this Tribunal has no jurisdiction to entertain the dispute as contended in para 1 of the counter statement ?

2 Whether the second party proves that it has held the domestic enquiry in accordance with law ?

6 Issue No 1 was taken up as a preliminary issue in the first instance

7 The parties were heard on the same

8 By a considered order dated 11-9-1987, this Tribunal has held that the second party is a Banking Company and that this Tribunal has the jurisdiction to entertain the reference

9 On additional issue No 2, the learned advocates for both the sides made a submission on 11-12-1987 that they have no oral evidence and that the enquiry file may be marked The enquiry file was marked as Ex. M-1 The management produced one document marked as Ex D-1 by the enquiry officer

10 The parties were heard, on additional issue No 2 and the point of dispute

11 My findings on additional issue No 2 and the point of dispute are as follows

12 Additional Issue No 2 —The second party has proved that it has held the domestic enquiry in accordance with the provisions of bi-partite settlement and the principles of natural justice The findings are not perverse

13 Point of Dispute —The management was justified in terminating the services of Sri Suresh Kamath sub-staff with effect from 4 2 1985 and he is not entitled to any relief

14 Additional Issue No 2 —In para 4 of the claim statement the first party workman has alleged that the enquiry held against him is sham and colourable He has further stated that the management representative was permitted to examine witnesses other than those shown in the witness list. The learned counsel for the first party did not point out any material from record and did not explain as to how the enquiry was sham and colourable On going through the record I find that the allegation of the enquiry being sham and colourable cannot be sustained The record discloses that the enquiry officer had given opportunity to cross examine all the management witnesses and the question of there being a mere show of enquiry cannot believed The management examined MW-1 Miss Shaheera Shetty, MW-2 Sri H D Udayashankar Shastri the then

manager of the bank and MW-3 Sri Bhujanga Mogere. All these witnesses have been cross-examined by the defence representative and I do not find that any prejudice has been caused to him. The enquiry proceedings are at pages 1 to 66 in the file Ex. M-1. It discloses that the enquiry officer has followed the principles of natural justice and the procedure as shown in para 19.12 of the bi-partite settlement.

15. Point of Dispute.—The main question that arises for my determination would be whether the findings of the enquiry officer are perverse. From paragraph 5 to 10 of the claim statement, the first party has contended that the enquiry officer has not taken into account the material fact that Bhaskar Hedge, the complainant of the first charge was not examined and secondly the evidence of the complainant Amiruddin of the second charge has not been properly appreciated. The learned counsel for the second party argued that the appreciation of evidence by the enquiry officer is quite sound and that the findings arrived at by him are un-assailable. There are two tests to determine whether a certain finding is perverse. The first one is whether the finding is not supported by any legal evidence. The second one is that whether on the basis of the material placed on record no reasonable person could have arrived at the findings complained of. In para 9 of the claim statement it has been contended that the enquiry officer has completely relied upon alleged confession letters of the first party and that his findings are therefore not sustainable in law. Whether the said letters of confession are extracted by coercion and should not have been relied upon is a different aspect, which is being discussed later. Per-se, these statements cannot be called as no evidence at all.

17. Thus, the only question that remains to be examined is whether no reasonable person could have arrived at the findings of guilty of charge Nos. 1 and 2, in the light of the evidence on record.

18. The charge sheet issued to him is as follows :—

CHARGE SHEET

(1)		(2)
Name of the Employee	:	N.S. Suresh Kamath
Code No.	:	6308
Designation	:	Peon (Under suspension)
Office	:	Regional Office-Udupi.

To

Mr. N. Suresh Kamath
Ferry Road
GANGOLLI
Condapoor Taluk (D.K.)

In the matter of alleged misconduct of whereas there are *prima facie* grounds to believe that you have committed acts of gross misconduct during your tenure as Peon at Coondapoor branch, the particulars where of are given below :

1. On 6-10-1980 you were handed over a sum of Rs. 200 by Mr. Bhaskar Hedge, holder of S. B. A|c. No. 4175 along with the pass-book with instructions to credit the amount to his S. B. Account. You had not credited the amount to his account and instead you had made false credit entry in the pass-book, forged the initials of the supervisory official to authenticate the entries and mis-appropriated the amount of Rs. 200. You had returned the pass-book to the customer with the entries for Rs. 200 belatedly, after repeated persuasion from him. Your act of fraud and forgery in the above said account came to light when a cheque issued by Mr. Bhaskar Hedge was presented for payment and could not be honoured due to shortage of funds.

2. On 12-12-1980 Mr. S. A. Amiruddin of M|s. Shoe Land had handed over a sum of Rs. 500 to you along with the [illegible] his [illegible] B A [illegible] No. 7082 maintained at the branch. The amount was not credited by you to the account and was mis-appropriated by you. You had made false credit entry for a sum of Rs. 500 and authenticated the said credit entry in the pass-book of the said account holder and had returned the pass-book to the account holder.

3. On 27-4-1981 you were handed over a sum of Rs. 210 by the branch to remit the same to M|s. Sri. Ganesh Cloth Stores, Coondapoor in respect of the purchase of uniform cloth. However, you and failed to remit the amount to the said firm and mis-appropriated the amount. The above fact came to light when the branch received a letter dated 11-5-1981 from M|s. Sri, Ganesh Cloth Stores informing the branch that they have not received the payment in respect of the uniform.

Your conduct of committing fraud and mis-appropriation by falsification of accounts and entries in pass-book and thus cheating the customers and the Bank Amount to acts prejudicial to the interest of the bank, which is a gross mis-conduct under sub-clause (j) of Clause 19.5 of the Bipartite settlement.

When the enquiry started on 19-5-1983, the presenting officer produced as many as 18 documents. The evidence of MW-1 Shas.eera Shetty commences from page 4 and runs till page 21. She was then working in Coondapura branch. Her evidence is on the point of the S. B. Account No. 4175 of Bhaskar Hegde. The pass book is marked as Ex. M-10. She has stated that the entry in Ex. M-10 of 25-9-1980 is in the hand writing of the workman, Suresh Kamath. Then she was shown the ledger of the S. B. Account No. 4175. With reference to ledger, she has stated that there is a false credit entry of 200 of 6-10-1980 in the pass-books Ex. M-10, whereas there is no credit entry in the ledger of that date. Then she was shown the cash scrol of 6-10-1980. With reference to the same, she has stated that no cash has been received on 6-10-1980 from Bhaskar Hedge for S. B. Account No. 4175. Then she has stated that Bhaskar Hedge had given Rs. 200 to the workman Suresh Kamath on 6-10-1980 to credit the same to the said S. B. Account, but the workman mis-appropriation and that he has made the false entry in the pass book and has given the same to Bhaskar Hedge. On page 7 she has further stated that in January 1981 Bhaskar Hedge presented a cheque through clearing and the same was returned to with a remark "refer to drawer". She has then stated that after some days Sri. Bhaskar Hedge had telephoned to the branch as to why the cheque had bounced, though he had sent Rs. 200 through the peon Suresh Kamath and though there is an entry in the pass book to that effect. She further states that on the examination it was found that on 6-10-1980 there was no credit entry either in the scroll or in the ledger. She has then stated that Bhaskar Hegde, had sent the letter dated 25-11-1981 about the non-credit of Rs. 200 and that a letter dated 31-1-1981 was also received from the workman Suresh Kamath that he had mis-appropriated the said amount. As regards the second charge her evidence shows that there was no cash credit entry of Rs. 500 in the ledger book to S. B. Account No. 7082 of Amiruddin though the pass-book of Amiruddin shows credit of Rs. 500 on 12-12-1980. She has further stated that there was no entry in the scroll also. Ex. M-6 has been marked as the statement given by the workman in that connection. The cross-examination of MW-1 discloses that though she is not an hand writing expert, she is fairly acquainted with the hand writing of her colleagues and on account of such acquaintance of handwriting, she has given evidence. The enquiry officer has discussed about the evidence of the management witnesses on pages 3 and 4 of his report The evidence of MW-2 Udayshankar, the then manager of the bank shows that on 6-10-1980 Bhaskar Hegde who had S. B. Account No. 4175 had given Rs. 200 to the workman Suresh Kamath for crediting to his said account, but that the workman did not credit the same, whereas he had himself written about the credit in the pass book Ex M-10 His evidence further discloses that in this connection Bhaskar Hegde had given a letter to him as per Ex. M-8. Ex. M-8 has been produced from proper custody and I find that there is nothing illegal in admitting it in evidence through MW-2, the branch manager. His evidence then discloses that S. A. Amiruddin

had opened a S. B. Account No. 7082 on 24-12-1979 and he was their customer. He has then stated that he had issued a memo, Ex. M-5 to the workman to rectify himself. MW-2 was then shown Exs. M-4 and M-6 and he has identified these letters as of Suresh Kamath. The cross examination of MW-2 on pages 29 and half of page 30 relates to the third charge. The rest of the cross-examination relates to the letter Ex. D 1 and MW-2 has stated that the signature on Ex. D-1 is, similar to the signature of Bhaskar Hegde on Ex. M-8. There is nothing to dis-believe the evidence of MW-2, that Ex. M-4, and M-6 are in the handwriting of the workman and that he has signed them The third witness examined by the management is Bhujang Mogera, who was working in the Coondapura branch since about two months as on the date of his examination. He was examined to show that the management had made efforts to examine Bhaskar Hegde and Amiruddin and the owner of Ganesh Cloth Stores before the enquiry officer, but they had refused to appear before him. He has further stated that in that connection he had written a letter to the management as per Ex M-20. Then Ex. M-9 was shown to him and he has stated that he had received it from Bhaskar Hegde. The evidence of MW-2 discloses that the management cannot be blamed for not examining the independent witnesses.

19. Thereafter the workman has examined DW-1 Amiruddin, DW 2, B. Ramdas Varambally, and DW-3 Narayan Shetty The appreciation of evidence of MW-1, MW-2 and MW-3 by the enquiry officer is to be found on pages two to five The evidence of Amiruddin has not been accepted for the reason that his father was attending to his S. B. Account. On page 43 of the enquiry proceedings the following questions and answers are to be found in the evidence of Amruddin.

Question—Mr. I put it to you that you are deliberately suppressing the real facts before the enquiry officer ?

Answer by DW-1.—The real facts, my father knows. If he were alive, he would have told you the truth.

Question.—Whether you used to come to the bank personally to operate the account ?

Answer—Rarely, I used to come.

Question.—Then, shall I conclude that your father used to come to the branch to with draw and remit the amount to S. B Account ?

Answer.—Yes.

Ignoring the observation that the management representative did not have adequate opportunity to cross-examine the witnesses Amiruddin, it is obvious from the above said evidence that as regards entry in the pass-book his testimony is of no help to the workman. The second witness DW-2 Ramdas was examined by the workman to show that the feelings between MW-2 Uday Shankar, the then manager and Suresh Kamath were not good. The evidence of MW-2 Udayshankar Shastry has been supported by the documentary evidence and irrespective of the relationship between them the findings of the enquiry officer regarding the proof of mis-conduct cannot be said to be perverse. The third witness for the defence has spoken on the point that the conduct of Suresh Kamath was good, and that the confession letters were taken from him forcibly. The enquiry officer has observed that DW-3 has stated that no other confessional letter was taken forcibly from the workman on any earlier occasion, whereas Ex. M-6 is of January 1981 Secondly, it has been observed that the witness had not represented to the authorities about taking of confessional letters by force For these reasons the enquiry officer has not accepted the evidence of defence witnesses.

20. Ex. M-1 (as marked by the enquiry officer) relates to the third charge. Ex. M-2 is the reply given by the workman to the charge sheet dated 2-4-1982. He has denied the charges. Ex M-3 also relates to the third charge Ex. M-4 is the reply given by the workman to the letter issued by the manager to him as per Ex. M-5. In Ex. M-4 the workman has admitted that he will correct himself and we will not commit any such acts, Ex. M-6 is dated 31-1-1981. Therein it has been admitted that he had received from Rs. 500 Amiruddin and Rs. 200 from Bhaskar Hegde and that he will return the same to them. Ex. M-7 is the pass book of Amiruddin and it substantiates the evidence of MW-1 and MW-2. Ex. M-8 is the complaint given by Bhaskar Hedge and from the evidence of MW-3 it is obvious that Bhaskar Hegde was not willing to appear before the enquiry officer. The evidence of MW-1 and MW-2 satisfactorily proves that Bhaskar Hegde had made the complaint Ex. M-8. The contention of the first party that because Bhaskar Hegde has not been examined, it may be held that Ex. M-8 has been wrongly admitted in evidence cannot be accepted. It has been produced from proper custody and has been duly proved by the evidence of MW-1 and MW-2. Ex M-9 is a letter of suspension. Ex. M-10 is the pass book of Bhaskar Hegde Ex. M-11 to M-17 are the xeroc copies of cash scroll book, challans, and ledger folioes. Reference has been already made to Ex. M-18, M-19 and M-20. On going through the documents also, I do not find that the enquiry officer has admitted any document wrongly or that he has not appreciated them in their proper perspective.

21 The letter of Bhaskar Hegde dated 3-11-1982 itself shows that he had given the complaint Ex. M-8 on 25-11-1981 He however, states that it was given under mistaken impression of facts and that he has no complaint against Suresh Kamath and that the matter may be closed as withdrawn. Ex. D-1, instead of helping the workman proves that Bhaskar Hegde had in fact sent the complaint Ex M-8, and there is no force in the contention of the workman that MW-2 the manager was bent upon harming him falsely I do not find that the enquiry officer has committed any error in not accepting the evidence of DW-2 Ramdas and in holding that the letters written by the workman, support the case of the management.

22. On close scrutiny of the record it is difficult to accept the contention of the workman that the findings of the enquiry officer are perverse.

23 The learned cousel for the first party contended that the penalty imposed on him is highly dis-proportionate to the charge levelled against him. The case of the management is that the workman had received the amounts from customers for being credited to the S. B. Accounts and had returned them the pass books, which indicated as if the amounts had been really credited to their accounts, but one of the customers actually suffered the bouncing of his cheque The second party is a Banking Institution and it cannot be disputed that the public in general expects a high degree of honesty and integrity from its employees. It cannot be said that the mis-conduct committed by the workman is of a trivial natue or that the penalty imposed on him is dis-proportionate

24 In the result, an award is hereby passed to the effect that the management of Vijaya Bank was justified in terminating the services of Sri N. Suresh Kamath sub-staff, with effect from 4-2-1985 and that he is not entitled to any relief.

(Dictated to the secretary taken down by him and got typed and corrected by me)

B. N. LALGL, Presiding Officer
[No. L-12012/101/85-D. IV. A]

का. आ. 832.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबन्धतन्त्र के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 1, बम्बई के पंचाट को प्रकाशित करती है जो केन्द्रीय सरकार को प्राप्त हुआ था।

S.O. 832.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Bombay as shown in the Annexure in the industrial dispute between the employers in relation to the Punjab National Bank and their workmen, which was received by the Central Government.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I AT BOMBAY

PRESENT :

Mr. Justice M. S. Jamdar, Presiding Officer.

Reference No. CGIT-16 of 1987

PARTIES :

Employers in relation to the management of Punjab National Bank and their workmen.

APPEARANCES :

For the Management : Mr. V. V. Pai, Advocate.

For the Workman : Mr. M. B. Anchan, Advocate.

INDUSTRY : Banking STATE : Maharashtra

Bombay, the 17th day of December, 1987

AWARD

The Central Government in exercise of the powers conferred on it by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, has referred the following dispute to this Tribunal for adjudication.

"Whether (the action of) the management of Punjab National Bank, Bombay in dismissing Shri D. M. Owal, sub-staff from Bank's services w.e.f. 19-8-85 is legal and justified? If not, to what relief the workman is entitled to ?"

2. The workman, Shri D. M. Owal joined the Bank on 17-10-1966 as a Peon and at the relevant time, he was working as a Bill Collector/Cash Peon at the Branch Office at Lakshmi Road, Pune. Before that, he was working in the Nana Peth Branch of the Bank. It was found that he had misappropriated Bank's funds by altering the figures of telegram charges mentioned in the relevant receipts by using the rubber stamp of the Bank. He had done so 6 times in the Lakshmi Road Branch and on several occasions in the Nana Peth Branch and misappropriated in all Rs. 348|-. He was therefore suspended from service on 14-9-1984 and was served with a charge-sheet on 25-1-1985. A xerox copy of the charge-sheet is produced at Exhibit M-6 which reads as follows :—

"You are hereby charged as under :—

While working as Bill Collector-cum-Cash Peon at BO : Laxmi Road, Pune, you have been found misappropriating the Bank's funds by altering telegram charges by prefixing 1 (one) on the left hand side of the amount mentioned in the telegram receipts by using rubber stamp of the bank. You have already admitted having done the same misappropriation on many occasions.

The details of telegram receipts, on which you have misappropriated the bank's funds by defrauding the Bank are given on a separate sheet, enclosed herewith.

The above act on your part amounts to gross mis-conduct in terms of Clause 19.5 of the Bipartite Settlement.

Your explanation, if any, to the above charges, should reach to the undersigned within 7 days from receipt of this charge sheet, failing which, it will be presumed that you have nothing to say in your defence and Bank shall be free to proceed further against you, in terms of provisions of Bipartite Settlement."

3. A statement showing details of amounts misappropriated by Shri Owal was enclosed with the charge-sheet.

4. During the enquiry, at the outset, Shri Owal admitted the charge and submitted a mercy petition (Exhibit M-2) which was addressed to the Regional Manager, who was the disciplinary authority. The enquiry officer forwarded the same to the disciplinary authority alongwith his report dated 8-5-85. The disciplinary authority vide his letter Exhibit M-3 issued a show-cause notice dated 1-7-1985 calling upon the opponent to put in his say about the proposed punishment of dismissal from service. It appears that the workman did not given any written submission in reply to the show-cause notice, but was given a personal hearing by the Regional Manager on 8-5-1985 as mentioned in the letter Exhibit M-4 dated 19-5-1985. By this letter, the proposed punishment was confirmed by making the dismissal effective from the date of the letter. Against this decision, Shri Owal preferred an appeal to the General Manager, the appellate authority, who by his order (Exh. M-5) dated 27-5-85 rejected the appeal.

5. In his statement of claim, the workman contended that the charges levelled against him were baseless and vague, that the Bank had not specified on which dates he had misappropriated Rs. 294|- mentioned in the charge sheet; that in the enquiry, he had disputed the figures, but his objections were not recorded by the enquiry officer; that the enquiry was held in violation of the principles of natural justice; that he was not given the assistance of a defence counsel; and that even though he never admitted that he misappropriated the amounts mentioned in the charge-sheet, the enquiry officer recorded some statement and obtained his signature on some papers. He also contended that details of amounts misappropriated were not given to him during the enquiry, nor was he supplied with the copies of the supporting documents. He also contended that the enquiry officer did not record its statement, but obtained his signature on some statements written to suit his convenience. He also contended that the enquiry officer was biased and his findings are perverse. He further contended that the amounts involved were very small and that the entire amount which he allegedly misappropriated has been recovered by the Bank by withdrawing the same from his Savings Bank Account. Therefore, according to him the punishment of dismissal is unjustifiably disproportionate particularly in view of his 18 years service with the Bank.

6. The Bank has denied all these allegations and the workman did not step in the witness box to substantiate any of the allegations made by him in the statement of claim.

7. As mentioned above, the charge-sheet Exhibit M-6 which specifically emphasised the modus operandi adopted by the workman also contains a statement showing the amounts misappropriated by the workman. It is true that details of the amount Rs. 294|- allegedly misappropriated by the workman while serving in the Nana Peth Branch were not given in the statement. But it was specifically mentioned in the charge-sheet that he has already admitted having done the same type of misappropriation on many occasions.

8. It will also be seen from the records of the enquiry which is produced at Exhibit M-7 (xerox copy produced at M-1) that on the first date of the enquiry, the presenting representative of the management read out to the workman, the charges and thereafter the enquiry officer asked the workman as to whether he admitted the charges of misappropriation mentioned in the charge-sheet dated 25-1-1985. The workman admitted the charge and requested the enquiry officer to give him about a week's time to give his mercy petition mentioning the circumstances under which he committed the misappropriation. The enquiry officer asked the workman whether he was willing to have any assistance to defend himself to which the workman replied that he only wanted the management to consider his mercy petition. Thereafter, the enquiry officer granted the workman's request for a week's time to submit his mercy petition and adjourned the enquiry to 8-5-1985. On 8-5-1985, the workman gave a mercy petition which was addressed to the Regional Manager who was the disciplinary authority. After receiving this application, the enquiry was closed on 8-5-1985 and on the same day, the enquiry officer forwarded the application alongwith his short report to the Regional Manager for necessary action.

9. It is true that the letter dated 8-5-1985 is not in the form of a report, but there was nothing to be reported except forwarding the mercy petition to the disciplinary authority for taking necessary action, because as mentioned above, the work-

man categorically admitted to charge levelled against him which also included the charge in respect of misappropriation of funds in the Nana Peth Branch. It is pertinent to note that copy of the proceeding held on 29-4-1985 was furnished to the workman on the same day and the workman signed the proceedings of the enquiry on 29-4-1985 and also on 8-5-85.

10. It is also pertinent to note that the mercy petition Exhibit M-2 which contains detailed account of the mishaps in the family of the workman which according to him ultimately led him to commit the misconducts in question is in Marathi, and admittedly in the hand writing of the workman himself. In this mercy petition, the workman had stated that his son met with an accident in which his leg was fractured which led to breaking his engagement, that the workman's father and brother's wife, who had brought up his children, died because of this shock and because of all these tragic events, he started drinking liquor and when he fell short of money for that purpose, he misappropriated the funds of the Bank. It is, therefore, difficult to accept the contention, which as mentioned above is not substantiated by affirmation on oath, that practically no enquiry was held by the enquiry officer who wrote down something on his own and obtained the signature of the workman, who never wanted to admit that he had misappropriated the Bank's funds. It is significant to note in this context that when he was given personal hearing by the disciplinary authority before passing the final order, he never made any such grievance. He only prayed for a lenient view.

11. It is true that the workman had contended in his appeal memo and also at the time of personal hearing before the appellate authority that the charge of misappropriation was incorrect, that he never misappropriated the Bank's funds; and that the statement containing admission of the guilt was obtained from him under false pretext. The appellate authority rejected these contentions and confirmed the dismissal order giving the following reasons for his decision—

> "I have gone through the entire record culminating in punishment of dismissal and also considered various contentions raised by Shri Owal in his appeal as well as during personal hearing. It is apparent from records that the subject not only admitted the charge of having misappropriated the funds of the bank but also reimbursed the misappropriated amount of Rs. 348/- to the bank. Further the admission has been made by him before the Enquiry Officer also. During the personal hearing before the Disciplinary Authority he did not deny of having misappropriated the funds but simply requested for a lenient view taking in view of his poverty. As such the defence taken by him now does not inspire any confidence. Banks being financial institutions cannot afford to continue the employees with doubtful integrity in their employment."

12. It is therefore, clear that specific charges were levelled against the workman. He categorically admitted the charges during the enquiry and also before the disciplinary authority praying for mercy, but when lenient view as prayed for was not taken by the Bank, he came out with the allegations which under the circumstances and on the face of the record are wanton and unacceptable.

13. As regards the punismment, there is absolutely no scope for interference in view of the gravity of the misconduct. It may be that the workman misappropriated small amounts, but he did so on a number of occasions and had developed a modus operendi which involved forgery of the bank's record also. As mentioned above, he tampered with the figures in the telegram receipts by making use of the Bank's stamp increased the amounts actually spent for the telegrams and misappropriated the excess amounts. As rightly observed by the General Manager in his order dismissing he appeal, Banks being financial institutions cannot afford to continue employees with doubtful integrity in their employment. The workman has a dangereous potentiality and showed tendencies detrimental to the financial interests of the Bank.

14. It may be that he had to face several calamities in his family life. Whether this should have prompted him to take to liquor is a different matter. But the circumstances did not certainly justify his action of misappropriating funds of the Bank for purchasing liquor to soothe his mind. Moreover having become an addict, he is bound to repeat his performance if he falls short of money for purchasing liquor. The punishment of dismissal therefore is the most appropriate punishment in this case and no interference is called for.

15. In the result, it is held that the action of the management of the Punjab National Bank in dismissing the workman, D M. Owal is justified and the workman is not entitled to any relief.

16. Award accordingly.

M. S. JAMADAR, Presiding Officer

[No. L-12012/42/86 D.IV(A)]

नई दिल्ली, 26 फरवरी, 1988

का. आ. 833—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इलाहाबाद बैंक के प्रबन्धतंत्र के सम्बद्ध नियोजकों और उन के कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-2-88 को प्राप्त हुआ था।

New Delhi, the 26th February, 1988

S.O. 833.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the Allahabad Bank and their workmen, which was received by the Central Government on 18-2-88

ANNEXURE

BEFORE SRI ARJAN DEV, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, KANPUR, UTTAR PRADESH

Industrial Dispute No. 77 of 1986

In the matter of dispute between :

Shri Abdul Quadir C/o Sri R K. Pandey 67/99 Lalkuwan, Lucknow, U.P.

AND

The Chairman and Managing Director Allahabad Bank—Head Office 2 Netaji Subhash Road, Calcutta.

APPEARANCES :

Shri R. K. Pandey, authorised representative—for the workman.

Shri Arun Verma authorised representative—for the Management

AWARD

1 The Central Government, Ministry of Labour, vide its Notification No L-12012(174)/85-D II (A) dated 20-5-86, has referred the following dispute for adjudication to this Tribunal :

> Whether the action of the management of Allahabad Bank in terminating the services of Sri Abdul Quadir subordinate staff of Dhaurahara Branch w.e.f 15-11-83 is justified ? If not, to what relief is the workman entitled ?

2. The case of the workman Sri Abdul Quadir is that he was appointed in the subordinate cadre as peon in the Bank's Branch at Dhaurahara, District Lakhimpur in a clear permanent vacancy on 23-3-81. His services were verbally terminated by the management on 15-11-83, without complying with the provisions of section 25-F I. D. Act and the provisions of paras 495 and 522 of Sastri Award and in breach of the provisions of the section 25-G I. D. Act and paras 20.7 and 20.8 of the first Bipartite Settlement. Hence he is entitled to reinstatement with benefits and continuity in service and back wages.

3. The defence is that the workman was neither appointed in clear permanent vacancy nor his services were terminated in breach of any provisions of I. D. Act, and against the terms and conditions of Sastri Award and Bipartite Settlement. As such he is entitled to no relief. Plea of estopped has also been raised on the ground that the dispute has been raised at belated stage.

4. Workman has filed rejoinder but in it he has pleaded no new facts.

5. In support of his case the management has filed affidavit dated 31-8-87 of Sri J K Verma, Manager Dhaurahara Branch District Lakhimpur Khiri He was duly cross examined by the authorised representative for the workman. From the side of the workman no evidence was led. Rather reliance was placed on the joint inspection report dated 18-1-88.

6. In this case parties filed a joint insoection report on 18-1-88. It shows that from 23-3-81 to 18-9-82, the workman worked for 411 days and from 19-9-81 to 18-9-82 he worked fo 258 days.

7. Workman having worked for more than 240 days in a year preceding the date of his termination, the management should have observed compliance of the provisions of section 25-F I. D. Act before terminating his services. The admitted position is that the workman at the time of termination of his services was not paid retrenchment compensation and was not given one month's notice or notice pay.

8. In the circumstances, termination of his services was illegal. He is entitled to be reinstated with full back wages and continuity of services.

9. Held, therefore, that the action of the management of Allahabad Bank in terminating the services of Sri Abdul Quadir subordinate staff of Dhaurahara Branch w.e.f. 15-11-83 was not justified. He shall be reinstated in service with full back wages and continuity of service.

10. Award is answered accordingly.

ARJAN DEV, Presiding Officer

[No. L-12012/174/85-D II (A)]

का.आ. 834.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक आफ बड़ौदा के प्रबन्धतंत्र के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 1, बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-2-1988 को प्राप्त हुआ था।

S.O. 834.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Bombay as shown in relation to the Bank of Baroda and their workmen, which was received by the Central Government on 16-2-1988.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL NO. 1, BOMBAY

PRESENT :

Mr. Justice M. S. Jamdar, Presiding Officer.

Reference No. CGIT-6 of 1986

PARTIES :

Employers in relation to the management of Bank of Baroda, Bombay.

AND

Their workman.

APPEARANCES :

For the Management—Mr. Pitalo, Advocate

For the Workman—Mr. Kulkarni, Advocate.

INDUSTRY : Banking STATE : Maharashtra

Bombay, the 4th day of February, 1988

AWARD

By an order dated 5th January, 1986, the Central Government in exercise of the powers conferred by clause (d) of sub-section 1 of Section 10 of the Industrial Disputes Act, 1947, has referred the following dispute to this Tribunal for adjudication.

"Whether the action of the management of Bank of Baroda, in relation to their Fixed Deposit Deptt. of Bombay Main Office, Bombay in dismissing Shri D. D. Kotian, a sub-staff, working in Fixed Deposit Department of Bombay Main Office of the Bank from the service w.e.f. 6th June, 1983 is justified ? If not, what relief the workman concerned is entitled to ?"

2. The workman, Shri Kotian was a member of the substaff attached to the Fixed Deposit Department at the Bombay Main Office of the Bank of Baroda, hereinafter referred to as 'the Bank'. He joined the services of the Bank on 23rd October, 1958 and at the time when he was dismissed from the service, he was working as a Daftary.

Shri Kotian was charged with the following misconducts :—

(a) Drunkness on the premises of the Bank.

(b) Disorderly/indecent behaviou in the premises of Bank.

(c) Wilful insubordination towards superiors of the Bank.

(d) Disobedience of the lawful and reasonable order of the Management or a superio .

(e) Doing an act prejudicial to the interests of the Bank.

3. The above-mentioned charges were based on incidents which took place on 29th January, 1980 and 4th February, 1980. The incidents are described in the charge-sheet as under :—

"(1) That on 29th January, 1980 while you were working as a Daftary in the Fixed Deposit Department of our Bank's Bombay Main Office, you left the Department at about 12.30 p.m for lunch and instead of resumed the duty at 1.15 p.m. after availing the prescribed 45 minutes' lunch interval, you returned to the department as late as at 2.30 p.m. in a drunken state. On your return to the department, when you were instructed to perform

your duties, you refused to comply with the instructions and shouted as under :

"Mai Nahi Karunga" and

"Mai Dekhunga, mere bare me kaun complaint Kar sakte hai".

You thus behaving in a highly unruly and disorderly manner and shouting as above, occupied a Officer's chair lying near the chair of the Officer-in-Charge of the Department and shouted "Mai Dekhunga, Bank mere khilaf kya action le sakta hai". You therefore continued to shout Sakta hai". You thereafter continued to shout and otherwise behaved in a disorderly manner for a few minutes and thereafter left the department.

(2) Further to above, you again entered the Fixed Deposit Department at about 5.30 p.m. in a shabby and drunken state. Seeing your above position, the Officers of the Department took you to the Chief Manager (Development and Customer Service). When the Chief Manager (Development and Customer Service) asked you as to where you were during the duty hours, you replied in a highly undesirable manner "State Bank". Not only this, when the Chief Manager enquired from you as to whether you had consumed alcohol. you shouted as under :

"ha, tumko jo karna hai jo kero".

You thereafter started shouting and otherwise behaved in a disorderly manner in this Chamber of Chief Manager (Development and Customer Service) for some time and then you left his Chamber.

(3) Further to above, on the 4th February, 1980 at about 1.00 p.m. you once again came to the Fixed Deposit Department in a drunken state and started behaving in a disorderly manner. You were in a highly shabby state and created a very bad image of the Bank in the presence of several customers who were present in the premises for transaction of their business. After a few minutes, you left the Department and returned only at about 5.30 p.m.

On your return, when you were instructed to attend to your duties, you refused to perform the same and started shouting in a loud manner. You did not attend to your work and continued to shout and otherwise behaved in a disorderly manner for sometime, whereafter you left the Department."

4. An enquiry into the charges was held by Mr. S. M. Godia, who was appointed as Enquiry Office by the Chief Manager (Credit) of the Bank of Baroda in his capacity as the disciplinary authority. The enquiry officer recorded his findings, holding the workman guilty of all the charges levelled against him, and submitted his report to the disciplinary authority who concurred with the findings and issued a show-cause notice calling upon the workman to show-cause as to why punishment of dismissal from service should not be imposed upon him. After hearing the workman who had requested to take a lenient view of his lapses, the disciplinary authority came to the conclusion that the punishment of dismissal without notice was the appropriate punishment for the proved misconduct on the part of Shri Kotian. Being aggrieved by this order, Shri Kotian preferred an appeal to the Deputy General Manager, the appellate authority. The Deputy General Manager, dismissed the appeal and thereafter an industrial dispute for reinstatement with full backwages and continuity of service was raised and espoused by the Regional Secretary of the All India Bank of Baroda Employees Union affiliated to NOBW before the management as well as before the Conciliation Officer (Central). The Conciliation proceedings failed and hence this reference.

5. The Bank of Baroda Employees Union which had espoused the cause of the workman before the management and the Conciliation Officer did not choose to represent the workman before this Tribunal and the Statement of Claim on behalf of the workman came to be filed by the Vice President of Bank of Baroda Employees Trade Union Congress.

6. In the Statement of Claim, the legality and validity of the enquiry held against the workman was challenged on various grounds including the grievance that the facts and circumstances mentioned by the workman in his explanation dated 8th May, 1982 were not taken into consideration. It is also contended that the findings of the enquiry officer were perverse and that the punishment inflicted on the workman is unduly harsh and disproportionate to the alleged misconduct.

7. While maintaining that the enquiry was properly conducted; that all principles of natural justice were observed; that full opportunity was given to the charge-sheeted workman to defend his case; that the charges levelled against the workman were duly established by the material placed on record of the enquiry; and that the gravity of misconduct justified the punishment of dismissed without notice, the Bank challenged the locus standi of the Congress to represent the workman concerned and contended that as the majority union which had earlier espoused the cause has not chosen to represent the workman, the dispute referred for adjudication is not the one in which workman as a class or substantial section of them have a direct and substantial interest and hence it cannot par take the character of an industrial dispute within the meaning of Section 2(k) of the Industrial Disputes Act, 1947.

8. There is no substance in the preliminary objections because the dispute which is referred for adjudication relates to the dismissal of the workman which by virtue of S. 2-A of the I. D Act shall be deemed to be an industrial dispute notwithstanding that no other workman nor any union of workman is a party to the dispute. Moreover, the cause was espoused by the All India Bank of Baroda Employees Union which admittedly is recognised by the Bank is the sole collective bargaining agent on the basis of the verification carried out by the Ministry of Labour according to which, the union represented about 80% of the employees employed by the Bank. Further, there is distinction between espousal of a dispute and representation before the Tribunal. It is also not necessary that the same union which espoused the cause of the workman must represent him before the Tribunal to which the industrial dispute is referred for adjudication.

9. There is also no substance in the contention that the enquiry stood vitiated on account of denial of proper opportunity to the workman to defend himself and that the findings of the enquiry officer are perverse. The entire record of the enquiry has been produced and it will be seen from the enquiry papers that the prescribed procedure for holding a departmental enquiry was faithfully followed and full, fair and proper opportunity was given to the workman to defend himself and that the workman also fully availed of this opportunity. The workman was allowed to be represented by the Organising Secretary of the Bank of Baroda Employees Union; adjournments were granted whenever sought by the workmen or his representative; the charges levelled against the workman were properly explained to him; copies of the documents on which the management wanted to rely were supplied to the workman; list of witnesses whom the management wanted to examine was submitted to the enquiry officer on the first date of the enquiry; witnesses for the management were examined in the presence of the workman and his representative and were allowed to be cross-examined; the workman was allowed to lead oral evidence in his defence; and the workman was also allowed to put in his final written statement and to submit his written arguments. A show-cause notice was also issued to him by the disciplinary authority in respect of the proposed punishment. He was heard by the disciplinary authority before passing the final order and both the disciplinary authority as well as the appellate authority passed speaking orders after considering the record of the enquiry and the findings of the enquiry officer.

10. Shri Kulkarni, the learned advocate for the workman could not point out any infirmity in the enquiry held against the workman and he was constrained to concede the position

that the enquiry was properly held after giving full and fair opportunity to the workmen concerned.

11. The only grievance that was made was that the explanation offered by the workman was not taken into consideration either by the enquiry officer or by the disciplinary authority or by the appellate authority. This grievance appears to be correct, but that would not vitiate either the enquiry or the finding recorded by the enquiry officer or the orders passed by the disciplinary authority or the appellate authority, because in his explanation, the workman did not dispute the charge levelled against him, nor did he dispute the correctness of the evidence led by the management. He only stated the facts and circumstances under which he committed the misconducts. This is what he stated in his explanation dated 8th May, 1982.

"The charge of drunkenness has been levelled against me as a sequel to the two incidents alleged to have taken place on 29-1-1980 and 4-2-1980 and it is stated in the charge sheet that on both the above days I had come to office under the influence of alchohol, mis-behaved in the premises and also defied the lawful and reasonable orders of the Bank. I must at the outset state that this charge of drunkenness has been made against me out of a misconception and the Bank did not give me an opportunity to clarify the real situation in which I was placed at the time. In this connection, I should say that so far as my domestic affairs were concerned, the later part of 1979 and the beginning of 1980 were very bad and unfortunate for me. I had suffered certain financial loss as a result of certain dispute with my close relations. Hence I was confronted with serious family problems of social and economical nature. Although I tried to solve them to the best of my ability, I could not solve them fully. On the contrary I could not stand or face the situation with fortitude and hence became a victim of mental tension. I used to pass sleepless nights as a consequence of mental tension. It affected me terribly. During this time, I had unknowledgly cultivated the habit of drinking but it was always used to be within the limits. Further I had consulted my family doctor who while advising me to take certain pills for my mental tension also suggested that a certain amount of alcohol taken in the evening would give relief for my mental tension. Hence I used to consume alcohol in a limited quantity every day evening Prior to the day of the incident (4th January 1980) I had to face a very delicate matrimonial problem in my house and I tried to reach for an amicable settlement but the result was not anywhere in the sight. I had on my own ignored the doctor's advice and consumed liquor in excess in the night at bed time and also in the early morning and also allowed excess tablets prescribed by him I came to office as usual and discharged duties in the normal way. Somebody irritated me around lunch time by passing unwanted remarks on observings my facial expression and my unprecedented claims and quite working in the department I tried to keep my feelings under control and left for my lunch. On reporting back to my department after lunch hour after a certain gap of time somebody again taunted me and then I burst out my feelings. I personally feel that I behaved in an irrational manner but it must be due to the cumulative effect of the excess drug and consuming liquor against medical advise.

On the 4th February, 1980 I reported for work as usual in the morning and performed my duties well but after 11.30 I started feeling giddy and getting stomach pain and head ache I went for lunch after sometime but could not get to acute pain and in order to relief I had to take certain tablets Since I was also a victim of mental tension I also swallowed certain pills which I was carrying with me. Both these things had a cumulative effect on me and as a result I could not work when I came back to the department after lunch and I had to leave the department on that day."

By this explanation, the workman only placed on record the extenuating circumstances, which would have no bearing on the legality and validity of the enquiry or the findings recorded by the enquiry officer and the orders passed by the disciplinary authority and the appellate authority. It may at the most have some bearing on the quantum of punishment.

12. It will be seen that the enquiry officer has based his findings on the evidence led before him and that the findings are completely justified by the said evidence. As a matter of fact, in his explanation dated 8th May, 1982, the workman practically admitted the fact that he did commit the acts attributed to him.

13. As regards the punishment, the learned Advocate for the mangement tried to press into service the decision of the Bombay High Court reported in 1980-I-LLJ p. 295 (Sarabhai M. Chemicals (S. M. Chemicals and Electronics) Limited and M. S Ajmere and another) in support of the propositions that the Tribunal is not required to consider the propriety or adequacy of punishment or whether it is excessive or too severe and in case the punishment is shockingly disproportionate, regard being had to the particular conduct of the workman, the test is that no reasonable employer will ever impose such punishment in like circumstances and then alone the Tribunal will be entitled to treat the punishment as amounting to victimisation or unfair labour practice. Relying on the head-note of this decision, Shri Pitale, the learned advocate for the management contended that this decision explains the power of the Industrial Tribunal under S.11A of the I.D. Act. This submission is absolutely wrong because the head-note is misleading in that Learned Judges were neither required to consider the scope and ambit of S-11-A of the I.D. Act, nor have they done so, perhaps because the reference to the Labour Court was made to the Labour Court even before S.11A was inserted by Act-45 of 1971 with effect from 15-12-1971. The Learned Judges have not even referred to S.11-A and laid down the above mentioned proposition about the jurisdiction of the Tribunal to interfere with the punishment on the basis of the dicta laid down by the Supreme Court in the Hind Construction and Engineering Co. Ltd v/s. Their Workmen (1965 I LLJ p. 462=AIR 1965 S C. 917). S-11A of the Industrail Disputes Act specifically confers jurisdiction on the Labour Court, Tribunal and National Industrial Tribunal to give appropriate relief in case of discharge or dismissal, if it is satisfied that the order of discharge or dismissal was not justified.

14. In his explanation dated 8th May, 1982, the workman referred to some of his family problems which caused mental tension to him to relieve which he developed drinking habit and that on the two occasions in question, he behaved in an irrational manner due to cumulative effect of drugs and consuming liquor against medical advice. This obviously cannot be considered as an extenuating circumstance justifying reduction in the punishment. There cannot be any justification for addiction to liquor and much less for disorderly behaviour under its influence. That circumstance therefore, was absolutely irrelevant and rightly ignored by the punishing authority while inflicting the extreme punishment of dismissal.

15. Shri Kulkarni, the learned advocate for the workman urged that he workman who is a family man had anunblemish record of long service of 25 years. Shri Pitale, the learned advocate for the management relying on the decision of the Madras High Court in Sri Gopalakrishna Mills Pvt. Ltd. V/s. Labour Court and another (1980 I LLJ p. 425) contended that the length of service of the workman is irrelevant for the imposition of a punishment for proved misconduct. But in the case between Ramakant Misra V/s. State of U.P. and Others (1982 Vol. 45 F.L.R. p 432). Their Lordships of the Supreme Court did take into consideration for reducing the punishment, the circumstance that the management had not shown that here was any blameworthy conduct of the appellant during the period of 14 years' service he rendered prior to the date of misconduct. In that case, the workman was charged for disorderly behaviour or conduct likely to cause breach of peace threatening an employee within the premises and conduct prejudicial to good order and discipline in that he used language which was indiscreet, improper, abusive and disclosing a threatening posture. In that case, Their Lordships

laid down that the Labour Court has the jurisdiction and power to substitute its measure of punishment in place of managerial wisdom once it is satisfied that the order of discharge or dismissal was not justified in the facts and circumstances of the case.

16 In Jaswant Singh V/s. Pepsu Roadways Transport Corporation and another reported in 1984 Lab. I.C. p. 7, the Supreme Court upheld the order of the Labour Court in directing reinstatement of a driver of a public transport bus who for the first time consumed liquor while on duty but held that mere refusal of back wages was not an adequate punishment.

17. The relevant question for consideration therefore is whether under the facts and circumstances of the case and in view of the gravity of the misconduct, the punishment of dismissal or discharge is justified or not. In the present case, though the workmen was charged for separate misconducts under five separate heads only two incidents dated 29th January, 1980 and 4th February, 1980 were the basis of all these charges. From the finding recorded by the enquiry officer, it is clear that what was actually proved at the enquiry showed that the version given in the charge-sheet of these two incidents was exaggerated. What emerges from the findings of the enquiry officer is that on these two occasions, the workman came on duty in a drunken state and showed rudeness and indifference to the authorities when questioned about his conduct. He told the officers that he drunk liquor with his own money and that the Bank may take any action against him as it pleases. This only confirmed that he was under the influence of liquor and was not in a position to understand the significance of what he was saying. It is also significant to note that the management also did not think of taking any action against the workman for pretty long time. The incidents took place at the end of January and beginning of February, 1982 and the charge-sheet was served on the workman on 7th July, 1982. Obviously, there was no repetition of the incidents during this long period. Under the circumstances, therefore, it cannot be said that the misconduct attributed to the workman was so grave as to justify dismissal from service. Even simple discharge would not be justified. The punishment inflicted on the workman is certainly harsh and disproportionate to the proved misconduct and hence the order of dismissal must be set aside. No doubt, the workman deserves to be punished, but punishment lesser than dismissal or discharge which would have deterring effect on the workman would meet the ends of justice. In my view, stoppage of one increment for some years would suffice. In the result therefore the order dismissing the workman is set aside. It is directed that the workman shall be reinstated in service with full back wages subject to stoppage of one increment for a period of three years. In case the workman has attained the maximum of his scale, he should be reduced to the next lower stage in the scale for a period of three years.

Award accordingly.

M. S. JAMDAR, Presiding Officer

[No. L-12012/66/85-D.II(A)]

का.आ. 835—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधतंत्र के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-2-88 को प्राप्त हुआ था।

S.O. 835.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the Punjab National Bank and their workman which was received by the Central Government on the 18th February, 1988.

ANNEXURE

BEFORE SRI ARJUN DEV, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, KANPUR

Industrial Dispute No. 166 of 1987

Reference No. L-12012/45/87-D.IV(A) dt. 5-10-87

IN THE MATTER OFDISPUTE BETWEEN

The General Secretary,

All India Hindustan Commercial Bank Employees Congress,

8/75, Arya Nagar,
Kanpur

AND

The Regional Manager,
Punjab National Bank,
Mall Road,
Kanpur.

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-12012/45/87-D.IV(A) dt. 5-10-87, has referred the following dispute for adjudication to this Tribunal :

> "Whether the action of the management of erstwhile Hindustan Commercial Bank Ltd. (now Punjab National Bank) in debarring Shri R. D. Agnihotri, Clerk for promotion permanently and superceding him is justified? If not, to what relief is the workman concerned entitled?"

2. In the instant case first notice was issued to the workmen by registered post on 26-11-87 after the receipt of the reference fixing 16-12-87 for filing claim statement. On 16-12-87 Shri P. V. Joshi, Personal Officer of the Bank put in appearance on behalf of the management but the workman or any person authorised by him did not appear in the case to file claim statement. The case was then fixed for 7-1-88. On 7-1-88 none appeared from either side and the case was ordered to come up on 5-2-88. On 5-2-88 Shri P. V. Joshi appeared from the side of management. Again on this date none appeared from the side of the workman nor claim statement was filed.

3. In these circumstances, it appears that the workman is least interested in prosecuting the case. Hence a no claim award is given in the instant case.

ARJUN DEV, Presiding Officer

[No. L-12012/45/87-D.IV(A)]

का.आ. 836—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबन्धतन्त्र के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-2-88 को प्राप्त हुआ था।

S.O. 836.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the State Bank of India and their workmen, which was received by the Central Government on 18-2-88.

ANNEXURE

BEFORE SRI RAJUN DEV, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, KANPUR, UTTAR PRADESH

Industrial Dispute No. 85 of 1986

IN THE MATTER OF DISPUTE BETWEEN

Shri Laxmi Dhar Pandey,
C/o Sri Ganesh Tripathi,
119/74 Naseemabad,
Kanpur;

AND

The Regional Manager,
State Bank of India,
Regional Office
Post Box No. 1,
Varanasi.

APPEARANCES :

Shri O. P. Nigam, Representative—for the workman.

Shri Mahesh Chandra, Adv.—for the Management.

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-12012/154/85-D.II(A) dated 19th May, 1986, has referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of State Bank of India in relation to their Siswan Bazar Branch in dismissing Sri Laxmi Dhar Pandey, Ex-guard from service w.e.f. 18-12-81 is justified ? If not, to what relief the workman concerned entitled ?"

2. The admitted facts are that the workman while he was posted as Armed Guard at Siswan Bazar Branch of State Bank of India, Gorakhpur, was served with the charge-sheet dated 24-11-80. Containing the following charges:—

1. कि 18 मई, 1979 को रात्रि 9 बजकर 30 मिनट में प्रारम्भ होने वाली ड्यूटी पर आप बैंक कार्यालय में नशे की हालत में ड्यूटी ग्रहण की तथा बैंक परिसर के अन्दर अभद्र व्यवहार के साथ-साथ चिल्लाये गाली गलोच की और उक्त मानसिक दशा में ही अपने बेक की बन्दूक से एक गोली भी चलाई ।

2. आप हवलदार श्री पी. एस. गुरंग से सूचना मिलने पर तत्कालीन शाखा प्रबन्धक श्री एस.एन.मिश्र ने डिप्टी आफ इन्सपैक्टर के साथ जो इस अवधि में शाखा ऑडिट पर था, बैंक पहुंच कर बैंक का फाटक खोलने व बन्दूक वापस सौप देने के निर्देश दिये जिसकी भी आपने अवहेलना की ।

3. कि आप 1-8-80 से 9-8-80 तथा 20-8-80 से 11-9-80 तक ड्यूटी पर से उपर्युक्त अवकाश लिये बिना अनाधिकृत रूप से अनुपस्थित रहे ।

Shri G. C. Agarwal, the Inquiry Officer found all the charges proved against the workman. The disciplinary authority confirmed the findings recorded by the E.O. on the above charges except on the point that the workman had indulged in abusive language and had shouted. Considering his past record, the Disciplinary Authority issued a notice to the workman to show cause why he should not be dismissed from the service. Since no reply was given by the workman to the show cause notice, the Disciplinary Authority by means of his order dt. 18-12-81 confirmed the punishment of dismissal from the service on the workman. The workman preferred an appeal on 29-5-82, but the Appellate Authority rejected it by means of order dt. 24-6-82, as time barred. Once again the workman preferred appeal and this time Appellate Authority despite the fact that it was time barred decided the appeal on merits and dismissed the same by order dt. 18-12-82.

3. The case of the workman is that the inquiry was not properly conducted. The I.O. held all the charges as proved merely on the deposition of the Branch Manager. Branch Manager had lodged a wrong F.I.R. at the police station. He was examined by the Medical Officer at the police station instead of in the Hospital. The medical report that he was drunk was fabricated. To prove the charges the management examined only 3 witnesses, namely, Branch Manager, Head Cashier, and the Hawaldar. Management did not produce the other two eye witnesses, namely, Sri Rajender Prasad Dubey and the Deputy Branch Inspector although the defence representative had demanded that they be also examined. The E.O. exceeded his powers by putting questions to him during the enquiry. In fact every thing was cooked up with the connivance of local police constables who were in search of opportunity to get him trapped in some wrong action. Lastly, he had pleaded that the punishment awarded to him was disproportionate to the charges levelled against him.

4. The defence is that the inquiry was not conducted in accordance with the principles of Natural Justice. The F.I.R. was lodged by the Branch Manager on account of the workman having been found in a drunken state while on duty, firing of shots by him from the gun of the Bank and wilful insubordination in not complying with the lawful orders of the superiors. The management further pleads that the defence representative could not have pressed the Bank to produce the witnesses of his choice. It was the sole prerogative of the Bank to examine witnesses of its own choice. The punishment awarded cannot be said as excessive. Having found all the charges except that of abusing and shouting proved the conduct of the workman was reprehensible and his retention in service was fraught with grave risks.

5. The management denies that the workman had been falsely implicated at the instigation of local police constables.

6. In his rejoinder the workman has simply reiterated the facts alleged by him in the claim statement.

7. In support of its case the management filed the affidavit of Sri P. Vishwakarma who appeared as Presenting Officer during the inquiry proceedings. He was not at all cross examined by Sri Nigam, the authorised representative for the workman. On the other hand, the workman, in support of his case filed his own affidavit. He was duly cross examined by authorised representative for the management.

8. In the domestic enquiry the management examined Sri S. N. Mishra, Branch Manager, Shri S. K. Shukla, Head Cashier and Sri P. S. Gaurang, Hawaldar. The management did not examined Sri R. P. Dubey, Badli Guard and Sri S. K. Sen, Deputy Branch Inspector despite the fact that demand was made from the side of the workman that they too should be examined.

9. In my considered opinion, the management cannot be forced to examine every witness of fact. If the workman considered the said two witnesses as supporting his case, he could have well examined them in defence. Therefore, I do not find any force in the first contention of the workman's representative that the inquiry was not properly conducted inasmuch as these two witnesses were not examined at the inquiry.

10. The second point raised by the workman's representative that the findings of the E.O. as confirmed by the Disciplinary Authority are perverse. I may state here that the Disciplinary Authority did not upheld the findings of the E.O. that the workman had indulged in abusive language/shouting while on duty in the Bank's premises at the time of the incident. I may make one thing clear that the Tribunal is not to sit over the findings given by the E.O. and as confirmed by the Disciplinary Authority as a Court of appeal.

11. From the findings it appears that both the E.O. and Disciplinary Authority relied upon the medical report of the workman without the examination of the Medical Officer. It should not have been relied upon without the examination of the Medical Officer. The question is whether even in the absence of the medical report, there is sufficient evidence to hold that the workman was drunk at the time of the incident. I may state here that the medical evidence is only a corroborative piece of evidence. Moreover, the domestic inquiry is not of the nature of criminal case where the prosecution has to

prove facts on which it relies beyond reasonable doubt. I have gone through the evidence given from the side of the management in Domestic inquiry and find it as sufficient for holding that the workman was drunk at that time. The evidence of Sri S. N. Misra, Branch Manager and it finds corroboration from the entry which he made in the Guard/Attendance duty register. There is nothing on record to show that the Branch Manager had any enmity with the workman.

12. Firing of the shots from the gun of the Bank was admitted by the workman and there is also no dispute about the fact that he proceeded on leave without its sanction.

13. It has been alleged by the workman that he had been falsely implicated in the case at the instance and with the connivance of local police constables. I am not prepared to believe this contention. The branch manager who bore no enmity with the workman could not be imagined to stop so low.

14. On the point of quantum of punishment I do not find it as excessive. In his cross examination he has admitted that even prior to 18-5-84 during his posting as Armed Gurad at Akabarpur Branch of State Bank of India, he was chargesheeted for being drunk during duty hours.

15. In the said proceedings by way of punishment his 4 increments were stopped. Under para 19.5 of the First Bipartite Settlement gross misconduct includes drunkenness in the premises of the Bank and wilfull insubordination of any lawful and reasonable order of the management or of the superiors. Looking to the nature of charges proved against the workman is his case falls under the head 'gross misconduct'. For gross misconduct a workman under para 19.6 of the said settlement can even be dismissed. Looking to the punishment earlier awarded to the workman, the management was justified in awarding the maximum punishment of dismissal from service

16. Hence, it is held that the action of the management of State Bank of India in relation to their Siswan Bazar Branch in dismissing Sri Laxmi Dhar Pande Ex-guard from service w.e.f. 18-12-81 is justified.

17. Reference is answered accordingly.

ARJUN DEV, Presiding Officer
[No. L-12012/154/85-D.II(A)]
N. K. VERMA, Desk Officer

नई दिल्ली, 15 फरवरी, 1988

का.आ 837.—बीड़ी कर्मकार कल्याण निधि नियम, 1978 के नियम 3 के उप नियम (2) और नियम 16 के साथ पठित बीड़ी कर्मकार कल्याण निधि अधिनियम, 1976 (1976 का 63) की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार निम्नलिखित व्यक्तियों को पश्चिम बंगाल राज्य के लिए बीड़ी कर्मकार कल्याण निधि की सलाहकार समिति के सदस्य नियुक्त करती है, अर्थात्.—

1. कल्याण आयुक्त कलकत्ता।

2. जनाब हुमायूं रेजा,
विधायक,
जनरल सेक्रेटरी, जांगीपुर महाकुमा बीड़ी श्रमिक यूनियन
(बी.पी.एन.टी.यू.सी.),
177-बी, आचार्य जगदीश चन्द्र बासु रोड,
कलकत्ता-16

3. श्री मो. निजामुद्दीन,
सीटू, श्रमिक भवन,
53 आचार्य जगदीश चन्द्र बोस रोड
कलकत्ता-16

4. श्रीमती आरती दास गुप्ता,
श्रमिक भवन,
53, आचार्य जगदीश चन्द्र बोस रोड,
कलकत्ता-16

और भारत के राजपत्र भाग-II खंड-3 उप-खण्ड (II) में दिनांक 2 अप्रैल, 1983 को प्रकाशित, भारत सरकार, श्रम मंत्रालय की दिनांक 18 मार्च, 1983 की अधिसूचना संख्या का.आ. 1766 में संशोधन करती है।

उक्त अधिसूचना में, क्रमांक 2 में और 7 से 9 तथा उनसे संबंधित प्रविष्टियों के स्थान, पर, निम्नलिखित प्रविष्टियां क्रमश: प्रतिस्थापित की जाएंगी, अर्थात् —

"2. कल्याण आयुक्त कल्याण आयुक्त संगठन,
कलकत्ता। —उपाध्यक्ष

7. जनाब हुमायूं रजा, विधायक
जनरल सेक्रेटरी, जांगीपुर महाकुमा बीड़ी श्रमिक यूनियन (बी.पी.एन.टी.यू.सी.),
177-बी, आचार्य जगदीश चन्द्र बासु रोड,
कलकत्ता-16
8. श्री मो. निजामुद्दीन, सीटू, श्रमिक भवन,
53, आचार्य जगदीश चन्द्र बोस रोड,
कलकत्ता-16
} कर्मचारियों के प्रतिनिधि

9. श्रीमती आरती दास गुप्ता, श्रमिक भवन,
53, आचार्य जगदीश चन्द्र बोस रोड,
कलकत्ता-16
} महिला प्रतिनिधि"

[सं. यू.-19012/7/85-कल्या.-(IIसी.)]
एस.एस. भल्ला, अवर सचिव

New Delhi, the 15th Fabruary, 1988

S.O. 837.—In exercise of the powers conferred by section 5 of the Beedi Workrs Welfare Fund Act, 1976 (62 of 1976) read with the sub-rule (2) of rule 3 and rule 16 of the Beedi Workers Welfare Fund Rules, 1978, the Central Government hereby appoints the following persons as members of the Advisory Committee of the Beedi Workers Welfare Fund for the State of West Bengal, namely :—

1. Welfare Commissioner,
Calcutta

2. Janab Humayun Reza, M.L.A.
General Secretary,
Jangipur Mahakuma Biri,
Shramik Union (B.P.N.T.U.C.),
177-B, Acharya Jagdish Ch. Basu Road,
Calcutta-16.

3. Shri Md. Nizamuddin, C.I.T.U.,
Shramik Bhavan,
53, Acharya Jagdish Sh. Bose Road,
Calcutta-16.

4. Smt. Arati Dasgupta,
Shramik Bhawan,
53, Acharya Jagdish Ch. Bose Road,
Calcutta-16.

and hereby amends the notification of the Government of India in the Ministry of Labour No. S.O. 1766 dated the 18th March, 1983, published in the Gazette of India, Part II, Section 3, Sub-Section (ii), dated the 2nd April, 1983.

In the said notification, for Serial Nos. 2 and 7 to 9 and the entries relating thereto, the following shall respectively be substituted, namely :—

"2. Welfare Commissioner,
Labour Welfare Organisation,
Calcutta. Vice Chairman

7. Janab Humayun Reza, M.L.A.
General Secretary,
Jangipur Mahakuma Biri Shramik Union (B.P N.T.U.C.),
177-B, Acharya Jagdish Ch. Basu Road.
Calcutta-16.
8. Shri Md. Nizamuddin,
C.I.T.U., Sramik Bhavan,
53, Acharya Jagdish Ch. Bose Road,
Calcutta-16.
} Employees' Representative

9. Smt. Arati Dasgupta, Shramik Bhawan, 53, Acharya Jagdish Ch. Bose Road, Calcutta-16. — Women Representative"

[No. U-19012/7/85-W.II(C)]

S. S. BHALLA, Under Sec.

नई दिल्ली, 22 फरवरी, 1988

का.आ. 838.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, बैंक नेशनाल की पारी के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 1, बम्बई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15 फरवरी, 1988 को प्राप्त हुआ था।

New Delhi, the 22nd February, 1988

S.O. 838.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 1, Bombay, as shown in the Annexure in the Industrial Dispute between the employers in relation to the Banque Nationale de Paris and their workmen, which was received by the Central Government on 15-2-88.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, BOMBAY

PRESENT :

Mr. Justice M. S. Jamdar, Presiding Officer

Reerence No. CGIT-17 of 1985

PARTIES :

Employers in relation to the management of Banque Nationale De Paris, Bombay;

AND

Their workmen.

APPEARANCES :

For the Management—Mro. Talsania, Advocate holding for Mr. Palshikar, Advocate.

For the workmen—Mr. J. B. Gawde, General Secretary of the French Bank Staff Union.

INDUSTRY : Banking STATE : Mabarashtra

Bombay, dated the 27th day of January, 1988

AWARD

The Central Government in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication.—

"Whether the action of the management of Banque Nationale De Paris, Bombay in not adopting the promotional policy as demanded by the French Bank Staff Union vide their letter dated 16-1-1984 is justified, If not, to what relief the workmen are entitled to ?"

2. After a complaint arising out of the subject matter of reference was disposed of by the High Court by an order passed in a writ petition led by the Bank against the interim order passed by this Tribunal in the said complaint, the parties entered into a settlement after long-drawn negotiations and filed a joint application praying for an award in terms of the settlement.

3. On the perusal of the settlement, it is clear that the demand for adopting a promotional policy is fairly met by the settlement, which contains an elaborate provision on that subject. I therefore, find that the settlement is fair and in the interests of the workmen concerned, as well as the whole body of the employees present and future. I, therefore, pass an award in terms of the settlement.

MEMORANDUM OF SETTLEMENT
NAMES OF THE PARTIES

Representing Employer :

Banque Nationale de Paris, French Bank Building, 62, Homji Street, Bombay-400001.

Representing workmen :

French Bank Staff Union, Bombay and French Bank Employees' Association, Calcutta through All India French Bank Employees' Co-ordination Committee.

SHORT RECITAL OF THE CASE

Whereas the French Bank Staff Union, Bombay by its letter dated 16th January, 1984 demanded that a promotion policy be framed by the Management of the Bank for promotion of sub-staff to clerks, clerks to special assistants and special assistants to junior officers.

And whereas the French Bank Employees' Association, Calcutta had filed a case in the Calcutta High Court agalust promotions made by the management in Calcutta Branches.

And whereas the Union in Bombay initiated conciliation proceedings before the Regional Labour Commissioner (Central), Bombay. As there was no settlement of the said dispute inconciliation, the conciliation officer submitted his failure report on 21st February, 1985 to the Central Government.

And whereas the Central Government by its Order dated 26th November, 1985 referred the said dispute to the Central Government Industrial Tribunal under Section 10 of the Industrial Disputes Act, 1947.

And whereas during the pendency of the said dispute before the Central Government Industrial Tribunal. Bombay and in Calcutta High Court, the parties negotiated with a view to settle the said dispute and a settlement was reached which the parties now desire to record with the intent that the same shall be binding on both the parties under Section 18(3) of the Industrial Disputes Act, 1947.

Now it is hereby agreed by and between the parties hereto as follows :

TERMS OF SETTLEMENT
SCHEME FOR PROMOTION

In supercession of all settlements, agreements understandings, practices, etc., relating to the procedure for promotion of sub-staff to cletical staff, appointments of clerical staff to special assistants and promotion of special assistants to officers class I Grade I shall be as follows :

1. Promotions from sub-staff cadre to clerical cadre.—All promotions shall remain the sole prerogative of the management subject to the following terms :

25 per cent of the consequential vacancies arising in the clerical cadre occasioned on account of promotions/from clerical cadre to officers' cadre as identified by the bank based on administrative requirements/death/retirement/permanent incapacitation etc. of clerks shall be filed in by promotions from eligible and suitable sub staff taking into consideration seniority, qualifications, performance, service record, written test and interview etc. as prescribed by the management.

(1) Eligibility.—The eligibility criteria fo rsubordinate staff to compete for promotion to fill up 25 per cent of the consequential vacancies in the clerical cadre on the basis

of seniority, qualifications, performance, etc. as stated above will be as under :

All subordinate staff who have completed three years of permanent service and are graduates from any recognised university

All subordinate staff who have completed 10 years of permanent service and have passed the Eighth Standard or equivalent exam, and subject to his passing the written test and interview as prescribed by the management. However, the written test applicable to the sub-staff will not be the same as applicable to others. A sub-staff member would be given 3 chances to appear for the written test. If he fails on three consecutive occasions by not securing 35 per cent marks he will not be allowed to appear again for the written test and will be debarred However the highest score of three tests will be taken into account.

Procedure for Promotion.—If the number of subordinate staff applying for the clerical vacancies and meeting the eligibility criteria as stated above by the bank exceeds 25 per cent of the vacancies, selection will be made on merit rating based on the following :—

(i) Marks for seniority 2 marks for every year of permanent service Max. Marks		35
(ii) Qualification.		
(a) Graduates	10	
(b) Matriculates	10	20
(iii) Written test		15
(iv) Interview by Management . .		15
(v) Reports of Officers		15
		100

II. Staff Appointments of Clerks as Special Assistants

(1) Eligibility.—All confirmed employees in the clerical cadre as on 31st December will be eligible for posting as special assistants in the following year.

(2) Procedure for apopintment.—A preliminary select list of senior and eligible clerical staff will be drawn up and notified with marks indicating seniority and qualificatons on the notice board. Marks will be allotted based on the following and a final select list will be notified indicating total marks of selected candidates.

(i) Marks for seniority 2 marks for every year of permanent service (6 months and above will be considered as a year) Maximum Marks .		35
(ii) Qualifications:		
(a) Graduates	10	
(b) Post Graduates/LLB . .	5	
(c) C.A.I.I.B. (I) . . .	5	
(d) C.A.I.I.B. (II) . . .	10	
		30
(iii) Reports of Officers . . .		20
(iv) Interview (by Management) . .		15
		100

The management has identified the following posts of special assistants for the following 3 years and will be filled in from amongst the existing clerks :

Date of appointment as Special Assistants	Bombay	Calcutta
1-10-1987	47	28
1-10-1988	24	14
1-10-1989	22	14

III. Promotions from special assistant's cadre to officer's cadre and appointments in the officer's cadre (Class I, Grade I).—All promotions shall remain the sole prerogative of the management subject to the following terms.

(i) The first one third of the total vacanices as determined by the Management in the Officers' cadre Class I shall subject to administrative requirement be filled in by promotion in Class I Grade I of eligible and suitable special assistants taking into consideration seniority, qualfication, performance, service records and interview as prescribed by the Management based on the following :

(a) Marks for seniority 2 marks per year of permanent service as a clerk (six months and above will be considered as a year) maximum marks .			40
(b) Qualifications			
Graduates	10		
Post Graduates/LLB . . .	5		
C.A.I.I.B. (I)	5		
C.A.I.I.B. (II)	10		
			30
(c) Officers' Reports			20
(d) Interview (by Management)			10
			100

(ii) The second one third of the total vacanices as determined by the management in the Officers cadre Class I shall be filled in purely on merit at the absolute discretion of the management by promotion in Class I, Grade I of eligible special assistants.

(iii) The third one third of the total vacanices in the Officers cadre class I Grade I shall be filled in by the bank by direct recriutment of officers at the sole discretion of the bank Recruitment of officers from Class 2, Grade I and above will not be part of the above ratio and the management will be free to recruit or promote officers in Class 2, Grade I and above at its sole discretion.

(iv) The recruitment of officers Class I, Grade I and II in posts requiring specialised/professional qualifications, technical skills and/or background, such as computer experts, maintenance, software development personnel, etc. will be outside the purview of the above ratio of promotion and recruitments. Such vacanices as determined by the bank shall be filled in at its sole discretion either by direct recruitment or by promotion. The management has identified 3 Junior Officers in such posts during the pendency of this settlement.

2. Eligibility.—The eligibility for filling vacanices in the first and second one third referred to in 1(i) and 1(ii) above would be three years permanent service from the date of appointment of specail assistant.

3. Procedure for promotion.—The procedure for promotion under the merit quota of the second one third of vacancies referred to in 1(ii) above shall be as determined by the bank from time to time at its sole discretion. In order to fill up the first one third of vacancies referred to in 1(i) above, a preliminary list of eligible candidates will be drawn up once a year and put up on the notice board

indicating marks for Seniority and Qualification. The eligible candidates as above will be subjected to an interview to be conducted by the bank either at local or at Manager level. Based on merit, suitability and number of vacancies as prescribed by the Bank, a select list will be drawn up and notified indicating total marks of selected candidates.

NOTE :

Selected candidates will subject to administrative requirements be appointed as officers based on merit, suitability as prescribed by the Bank and the number of vacancies. As suitability is assessed on the basis of interview, and report of officers, there shall be a period of probation for six months for officers promoted in the first quota and 1 year for officers promoted in the 2nd quota (merit quota).

It is clarified that the qualifications other than B.A., B.Sc. and B.Com. will not be considered Post Graduation means, degree of a recognised university for acquisition of which graduation is precondition but does not include post graduate diploma or post diploma qualification. It is further clarified that LLB (General)/LLB shall be considered a post graduate qualification. However, no separate marks shall be allotted for post graduate qualification like M.A./M.Com./M.Sc. etc.

GENERAL CLAUSES

1. All members of sub-ordinate staff will on completion of 15 years permanent service be paid three additional increments in the running scale over and above their normal increment. It is expressly agreed that the 3 additional increments aforesaid will only be paid to sub-ordinate staff once on completion of 15 years of permanent service and not on completion of each successive year after completing 15 years of such service. In case of sub-staff who have reached the maximum of their salary scale will be paid three increments equivalent to their stagnation increments as per clause V of Settlement dated 8-10-1985.

2. All the special assistants until promoted to the post of Junior Officer will receive three additional increments at one time (as provided in Clause V of Agreement dated 8-10-1985) immediately on reaching the maximum of their scale but not before completing three years of service as special assistants.

3. The vacancies identified by the Management will be on State level basis. Inter-State rotation of officers class I, Grade I may take place on reciprocal basis otherwise if additional inter-state transfer of officers (class I Grade I) takes place. It will be adjusted against a second or third quota.

4. In case of death or permanent incapacitation of an employee while in service his/her, son/daughter/spouse should be employed immediately by the bank in suitable capacity as a sub-staff or clerk. However, the candidate will have to undergo probation as per Bi-partite Settlement.

5. It is agreed between the parties that in consideration of the present agreement, the Bank and the respective Unions will withdraw all the court cases pending with the Calcutta High Court and the Central Government Industrial Tribunal, Bombay and to bear their own respective costs in these pending proceedings.

6. This Agreement supercedes/cancels all previous agreements on the matter of promotion/recruitment/transfer signed between the Unions and the Management.

7. With a view to maintain harmonious industrial relations and to promote cordial employer-employee relationship, this settlement will be in force and effect for a period of five years starting from 1st October, 1987 i.e. till 30-9-1992 and the terms and conditions hereof shall continue to govern and bind the parties even thereafter until this settlement is terminated by either party giving to the other a statutory notice as prescribed in Section 19 of the Industrial Disputes Act for the time being in force. The same will continue and bind the parties until it is replaced by the other agreement.

8. Copies of this settlement will be jointly filed before the Calcutta High Court and the Central Government Industrial Tribunal Bombay & also forwarded by the parties to the authorities listed in Rule 58 of Industrial Disputes (Central) Rules 1957, so that the terms and conditions thereof are binding on the parties as provided in law.

All India French Bank Employees Co-ordination Committee and its constituent Unions agree that during the operation of this Settlement, the workmen will not raise any demand of whatsoever nature with the Bank in respect of the matters covered by this Memorandum of Settlement.

If any doubt or difficulty arises regarding the interpretation of any provision of this settlement, the matter will be jointly resolved by All India French Bank Employees' Co-ordination Committee and the Manager India.

It is agreed that both the parties would ensure harmonious industrial relations at all levels with a view to maximise productivity and profitability.

Dated this 23rd day of January, 1988.

SIGNATURES OF PARTIES

Workmen represented by
All India French Bank
Employees Co-ordination Committee

Sd/-

(1) Sunit K. Banerjee,
(Chairman)

Sd/-

(2) J. B. Gawde,
(Vice Chairman)

Sd/-

(3) A. M. Sarpotdar,
(Gen. Secretary)

Sd/-

(4) Kamal Mukherjee,
(Asstt. Secretary)

For Banque Nationale
de Paris

Sd/-

(1) P. Grandamy,
(Manager-India)

Sd/-

(2) G. Durand,
(Manager-Administration)

Sd/-

(3) R. Bhathena,
(Assistant Manager-Administration)

Sd/-

Witness : K. K. Pavitran

Sd/-

Witness : A. Gaillard

M. S. JAMDAR, Presiding Officer

[No. L-12011/13/85-D.IV(A)]

K. J. DYVA PRASAD, Desk Officer.

नई दिल्ली, 22 फरवरी, 1988

का. आ. 839—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ब केसरगढ़ कोलियरी मैसर्स भारत कोकिंग कोल लि., डाक नवागढ़, जिला धनबाद के प्रबन्धतंत्र के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, न 2, धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12 फरवरी, 1988 को प्राप्त हुआ था।

New Delhi, the 22nd February, 1988

S.O. 839.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad, as shown in the Annexure in the industrial dispute between the employers in relation to the management of Kessurgarh Colliery of M|s. Bharat Coking Coal Ltd. and their workmen, which was received by the Central Government on 15-2-88,

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2), AT DHANBAD

PRESENT :

Shri I. N. Sinha,

Presiding Officer.

Reference No 99 of 1986

In the matter of an industrial dispute under Section 10(1)(d) of the I.D. Act, 1947.

PARTIES :

Employers in relation to the management of Kessurgarh Colliery of M|s. Bharat Coking Coal Limited and their workmen.

APPEARANCES :

On behalf of the workmen.—Shri Samiran Pal, Advocate.

On behalf of the employers.—Shri B. Joshi, Advocate.

STATE : Bihar. INDUSTRY : Coal.

Dated, Dhanbad, the 5th February, 1988

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-24012 (45)|85-D. IV(B), dated, the 31st January, 1986.

SCHEDULE

"Whether the action of the management of Kessurgarh Colliery of M|s. Bharat Coking Coal Limited, P. O. Nawagarh, District Dhanbad in dismissing S|Shri Girija Singh, Pump Khalasi and B. N. Singh, Hard Coke Bhatta Munshi from service is justified ? If not, to what relief the workmen concerned are entitled ?"

The case of the workmen is that the concerned workmen Girija Singh and Shri B. N. Singh Hard Coke Bhatta Munshi were permanent employees of Kessurgarh Colliery of M|s. BCCL. They were issued with chargesheets dt. 4-4-81 alleging that they had assaulted Shri M. K. Kirmani Safety Officer of the said colliery on 4-4-81 in front of the gate of colliery office. They submitted their replies to the chargesheet denying the allegations as baseless. The Police also was reported regarding the said occurance. The Police took up the investigation of the case and chargesheet was submitted by the Police against them. In the trial before the Judicial Magistrate, Chas dt. 30-4-84 the concerned workmen were found not guilty of the charges and were exonerated thereof. When the proceeding before the Judicial Magistrate, Chas was pending against the concerned workmen, the management in hot haste dismissed the two concerned workmen from their services without following the process of natural justice to save Shri Kirman who was involved in the episode. The finding of the enquiry Officer in the enquiry proceeding was not based on the evidence on record and he did not weigh and apprise the statement of the witnesses correctly. His findings are perverse. The General Manager did not apply his mind at the time of granting approval of the dismissal of the concerned workmen. The service record of the concerned workmen is clean and as such their purishment of dismissal is not proportionate to the act of misconduct. The concerned workmen have been victimised of managerial high handedness. On the above plea it is submitted that the action of the management in dismissing the concerned workmen is not justified. It is prayed that the concerned workmen be reinstated with full back wages and consequential relief.

The case of the management is that the two concerned workmen committed volitional acts of assault and riotious behaviour on 4-4-81 at about 8.15 A.M. near Kessurgarh Colliery office gate causing bleeding injuries on the person of Shri M. K. Kirmani the then Safety Officer of Kessurgarh colliery by striking him with feasts and blows. The said act of the concerned workmen was intentional acts of violence on superior officers with pre-planning which constituted serious misconduct under the standing orders applicable to the establishment. The concerned workmen were issued with chargesheet dt. 4-4-81. The concerned workmen submitted their replies to the chargesheet denying the allegation levelled against them. Shri S. N. Sinha, the then Personnel Manager (IR), Karkik Bhawan was appointed as an Inquiry Officer to enquire into the chargesheets against the concerned workmen. The domestic enquiry was conducted in accordance with the principles of natural justice. The concerned workmen were permitted to take the assistance of their co-worker to defend them in the enquiry. They were given full opportunity to cross-examine the management's witness, to give their own statement and to produced their defence witnesses. They had never complained against the enquiry Officer personally or regarding the manner of enquiry by him. The concerned workmen had engaged Shri Sadhu Saran Singh as their co-worker and had cross-examined the management's witnesses and gave their own statement and produced two defence witnesses. The enquiry officer submitted his enquiry report dt. 20-7-81 holding the concerned workmen guilty of the misconduct alleged against them The enquiry officer had carefully considered the materials on record while giving his finding in the enquiry report. The enquiry proceeding enquiry report and all other relevant papers were examined at various levels and approval for dismissal of the concerned workman was obtained from the then General Manager of the Area under whose jurisdiction Kessurgarh Colliery was situated The Agent of the colliery issued order of dismissal of the concerned workman by his letter dated 20-8-81. The General Manager was a Chief Mining Engineer in respect of Kessurgarh colliery besides other collieries of the Area. The action of the management in dismissing the concerned workmen from services is legal, bonafide and in accordance with the provision of the standing orders The punishment imposed on them was proportionate to the misconduct committed by them The action of the management is justified and the concerned workmen are not entitled to any relief.

The present reference has arisen out of the dismissal of the concerned workmen after holding a domestic enquiry into the charges levelled against them and as such at the very outset it was submitted on behalf of both the parties that it first be decided as a preliminary issue whether the domestic enquiry held against the concerned workmen was fair, proper and in accordance with the principles of natural justice. Accordingly the said issue was taken up first as a preliminary issue and the order on the said issue was passed on 7-12-87 holding that the domestic enquiry held against the two concerned workmen was fair, proper and in accordance with the principles of natural justice.

As the domestic enquiry has been held to be proper the case has to be decided on the materials already on the record of the enquiry proceeding.

Now the points for consideration are whether (1) the charges levelled against the concerned workmen were established on the materials adduced before the enquiry officer and (2) whether the order of dismissal was too harsh and not proportionate to the established offence.

The management has produced the relevant papers regarding the enquiry proceedings which are marked Ext. M-1 to M-8.

Ext. M-1 and M-2 dt. 4-4-81 are the chargesheets issued against the concerned workmen Girija Singh and B. N. Singh respectively. It will appear from the said chargesheets that on 4-4-81 at about 8.15 A. M. while Shri Kirmani was coming to the office and reached the colliery office gate, the concerned workmen assaulted Shri M. K. Kirmani Safety Officer with feasts and blows and which amounts to a misconduct as per clause 27(5) of the Standing Order of the company. Ext. M-3 and M-4 dt. 14-4-81 are the replies to the chargesheets by the concerned workman Brijnardan Singh and Girija Singh respectively. It will appear from the replies in Ext. M-3 that the concerned workman Shri B. N. Singh had gone to the office in the morning of 4-4-81 to meet Shri Kirmani and while they were discussing the matter as to why Shri Kirmani had allowed casual leave to Jamunia Kamin for 3rd and 4th of April, 1981 when B. N. Singh had marked her absent on 3-4-81 and that her man Bipat Mahato was insisting that she should be marked present by B. N. Singh and on refusal Bipat Mahato had abused and assaulted Shri B. N. Singh. It is further stated that while Shri Kirmani and B. N. Singh were discussing the matter several other workmen gathered which caused melee which Shri Kirmani took it otherwise resulting in the submission of chargesheet against him. He has further stated that he neither assaulted Shri Kirmani nor had committed any act of indiscipline amounting to misconduct.

The reply of the other concerned workman Shri Girija Singh is in Ext. M-4. He has stated that as usual on the morning of 4-4-81 he went to mark his attendance when he found several workers present near the gate of the office. He has stated that some of them were talking to Shri Kirmani and that at that time there was rush and as the persons in the distance wanted to view the matter resulting in a scuffle causing displacement of several people from their places of standing. In his defence he has stated that he had neither assaulted Shri Kirmani nor had been anybody assaulting Shri Kirmani Shri B. N. Singh had given a written statement after the close of the management's evidence which is at page 200 to 204 of the enquiry proceeding Ext. M-7 This written statement of Shri B N. Singh was part of his recorded oral statement which he gave before the enquiry officer at the close of the management's witnesses. It will appear from the statement of Shri B N. Singh at page 201 of Ext. M-7 that while he was discussing with Shri Kirmani at the office gate of the colliery, the workmen standing behind at that time wanted to come near Shri Kirmani and in this process there was a melee and there was possibility of Shri Kirmani having received injury at that time He has admitted that Shri Kirmani had been pushed and had received injuries. The other concerned workmen Shri Girija Singh also had given his written statement along with his oral statement before the enquiry officer after the close of the management's evidence which is contained in pages 205 to 209 of the enquiry proceeding Ext M-7. He has also admitted the facts that Shri Kirmani had received the injuries in the melee which was caused by the workmen at the time Shri B N Singh was having discussion with Shri Kirmani at the gate The two defence witnesses Keshwar Singh and Jairam Saw have also stated that Shri Kirmani had received injuries in the melee It is clear therefore that even from the statement of the two concerned workmen and their defence witnesses also it appears that Shri Kirmani had received injuries in the morning of 4-4-81 at the office gate. Thus the time of occurance, place of occurance and injury on Shri Kirmani on that day is

The question to be decided is whether Shri Kirmani had received the injuries in the melee of the workmen or whether he was voluntarily assaulted by the two concerned workmen. The management examined Shri M. K. Kirmani, Safety Officer, Shri S. K Sarkar, Asstt. Engineer, Shri Muni Lal Mahatah, Fitter Helper, Shri Rama Dhobi, Fitter, Shri Jagarnath Mahato and Shri K. N. Paul, Head Clerk Kessurgarh Colliery to show that the concerned workmen had assaulted Shri Kirmani and that Shri Kirmani had not received injuries in any melee caused by the workmen.

Shri M. K. Kirmani is the Safety Officer who had received the injuries. He has cleraly stated that he was assaulted by the concerned workmen Shri B. N. Singh and Girija Singh with sists and slabs. He has also stated that on 4-4-81 at about 8.15 A.M. when he reached the office he saw workmen assembled at the office gate and the gate was closed when he reached there the concerned workman Girija Singh came near him and asked as to what action he has taken in respect of the occurance of 3-4-81 whereupon Shri Kirmani told him that action will be taken after Shri B. N. Singh submits a written complaint regarding the occurance of 3-4-81. He has further stated that when he wanted to proceed, B. N. Singh came and asked as to when he had allowed leave to Jamuni Kamin of Hard Coke Bhatta whereupon Shri Kirmani told as to what is the connection between the grant of casual leave of Jamuni Kamin and the case of B. N. Singh. He has stated that thereafter the concerned workman Shri B. N. Singh and Girija Singh assaulted him causing bleading injuries from his nose and he fell down on the ground. He has stated that Rama Dhobi, Fitter and Munnilal Mahatha took him to the Bunglow of the Agent. He has stated that Shri S. K Sarkar, Jagarnath Mahato also accompanied him to the Bunglow of the Agent. The said fact is fully supported by the evidence of Munni Lal Mahatha and Rama Dhobi. Shri S K. Sarkar had also arrived at the time of assault and was taking tea from where he saw some persons assaulting Shri Kirmani out of whom he identified Girija Singh only. Jagnarnath Mahato was sitting near a bar tree from where he saw Kirmani being taken by Rama Dhobi and Munni Lal Mahatha to the bunglow of the Agent and he also went to the Bunglow of the Agent and saw blood being wiped from the injuries of Shri Kirmani. He learnt from others that Girija Singh and Brijnandan Singh had assaulted Shri Kirmani. It appears therefore that Jagarnath Mahato was not an eye witness of the occurance. He only corroborates the injury on the person of Shri Kirmani and that it was disclosed at that very time that the two concerned workmen had assaulted Shri Kirmani. Shri K. N. Paul is also not an eye witness to the assault. He had learnt about the assault by the concerned workmen from Shri Sarkar. All these witnesses have been thoroughly cross-examined by the co-worker of the concerned workmen who was defending the case of the concerned workmen. There does not appear to be any reason to disbelieve the evidence of the management's witnesses There are some discrepancies regarding the number of workmen assembled at the gate in the evidence of the management's witnesses but the said fact is not of any importance as it is difficult for everybody to assess about the assemblage of the workmen and give an approximate number. The fact that the concerned who are brothers had cause for assaulting Shri Kirmani was having a discussion with Shri B. N. Singh regarding the occurrence of 3-4-81 and the injuries of Shri Kirmani is almost admitted. It appears that the evidence of the management's witnesses is true There is no reason for Shri Kirmani to falsely implicate the two concerned workmen From the evidence of Shri B. N. Singh it appears that Shri B N Singh was having grudge against Shri Kirmani as to why he had allowed casual leave to Jamunia Kamin for 3rd and 4th of April 1981 when B N Singh had marked her absent on 3-4-81 and he was assaulted by Bipat Mahato on his refusal to mark her presence on 3-4-81 This fact gave no cause to Shri Kirmani to make false allegation against Shri B N Singh and Shri Girija Singh and the fact that Shri Kirmani had allowed casual leave to Jamunia Kamin and actually given cause to Shri B N Singh and that was the reason as to why Shri Kirmani was tonned at the gate and was asked as to why he had granted leave The circumstances therefore are against the concerned workmen and it appears that the two concerned workmen who are brothers had cause for assaulting Shri

The concerned workmen had examined two defence witnesses Keshwar Singh and Joyram Saw. They had come with allegation in their statement that Shri Kirmani had illicit connection with Shri Jamunia Kamin. But there is nothing in the evidence to show that the said fact had any bearance with truth. Even if Shri Kirmani had any illicit connection with Shri Jamunia Kamin it had nothing to do with the assault of Shri Kirmani by the two concerned workmen. In my opinion, the evidence of these defence witnesses Keshwar Singh and Janam Saw is not reliable.

In view of the evidence discussed above I hold that the charge of assault of Shri Kirmani by the two concerned workmen are established under clause 27(5) of the Standing Orders. The extract from the Standing Orders forms part of the enquiry proceeding.

It has been submitted on behalf of the workmen that a Police case also was instituted in respect of the said occurrance against the concerned workmen Shri B. N. Singh and Girija Singh and that after trial the Judicial Magistrate found them not guilty and acquitted them of the charges. The certified copy of the said judgement has been filed in this case and it has been submitted that as the concerned workmen had been acquitted of the charges by the Criminal Court the concerned workmen cannot be held guilty in the departmental enquiry in respect of the said allegations. It will appear from the enquiry report Ext. M-8 that the enquiry report was made on 20-7-81. It will also appear from Ext. M-5 and M-6 which are the orders of dismissal of the two concerned workmen that they were dismissed by the order dated 18-8-81. The criminal case against the concerned workmen was decided on 30-4-84 as it appears from the date of the judgement of G. R. Case No. 293/1981. The enquiry the dismissal of the concerned workmen were made much before the date of the judgement of the Criminal case and the enquiry officer or the management could not have considered the points which were involved subsequently in the Criminal case. Moreover it is well known principle that merely because of pendency of a criminal case, the enquiry proceeding cannot be withheld or that the finding in the enquiry has to be set aside because of subsequent decision in criminal case.

I have carefully gone through the entire enquiry proceeding. The concerned workmen had never made any prayer to the enquiry officer to stay the domestic proceeding till the pendency of the criminal case and as such the enquiry officer was not abold to say the domestic proceeding. The finding of the enquiry Officer and the dismissal of the concerned workmen based on the said enquiry cannot be said to be vitiated because of subsequent decision in Criminal case in which the concerned workmen were not found guilty. It is also well known proposition that the matter to be decided and the things to be considered in the domestic enquiry are quite different from the matters which are to be considered by a Criminal Court and as such the acquittal of the concerned workmen by a Criminal Court cannot given ground for the concerned workmen to submit that the enquiry proceeding is vitiated and the order of the dismissal is bad in law.

It will appear from the evidence that Shri Kirmani and Security Officer was assaulted by the concerned workmen at the office gate of the colliery for no valid cause and this act of assault on Shri Kirmani by the two concerned workmen is clearly an act of indiscipline and misconduct which requires a severe punishment in order to keep discipline and the safety of the officers.

In the result, I hold that the action of the management of Kessurgarh Colliery of M/s. Bharat Coking Coal Limited, P. O. Nawagarh, District Dhanbad in dismissing S/Shri Girija Singh, Pump Khalasi and B. N. Singh, Hard Coke Bhatta Munshi from service is justified and consequently the concerned workmen are entitled to no relief.

This is my Award.

I. N. SINHA, Presiding Officer

[No. L-24012/45/85-D. IV (B)]

R. K. GUPTA, Desk Officer

नई दिल्ली, 24 फरवरी, 1988

का०आ० 840.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार खान क्वैरी वर्क्स संख्या 26 मुकाम और डाकघर राजल वाड तालुका झगडिया जिला भरूच के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, अहमदाबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18 फरवरी, 1988 को प्राप्त हुआ था।

New Delhi, the 24th February, 1988

S.O. 840.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Ahmedabad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of 26 No. Khan Quarry Works, At & P. O. Rajalwada, Taluka Jhagadia, Distt. Bharuch and their workmen, which was received by the Central Government on the 18th February, 1988.

ANNEXURE

BEFORE SHRI G. S. BAROT, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL (CENTRAL), AHMEDABAD

Reference (ITC) No. 17 of 1984

ADJUDICATION

BETWEEN

Khan Quarry Works,

Khan Quarry Works, At & PO Rajalwada, Tal. Jhagadia, Dist. Bharuch — First Party.

AND

The workmen employed under it — Second Party.

In the matter of dearness allowance, special allowance, bonus, permanency, retaining allowance, gratuity etc.

AWARD

This industrial dispute between management No. 26 Khan Quarry Works, At & PO Rajalwada, Taluka Jhagadia, Dist-Bharuch and their workmen has been referred to me for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India, Ministry of Labour & Rehabilitations Order No. L-29011/58/83-D. III(B) dated 25th February, 1984.

2. The dispute relates to in all five demands regarding dearness allowance, special allowance, bonus, gratuity, permanency and retaining allowance etc.

3. It appears that soon after the reference was received usual notices were issued to the Akhil Gujarat Kamdar Association, Surat (hereinafter referred to as 'the Union') and Messrs Babubhai Vadgama Store Quarry, Jespore for filing their statement of claim and written statement respectively. However, the Rojnama shows that although the matter used to be adjourned from time to time in order to give sufficient opportunity to the Union to have its say in the matter, the Union has never cared to remain present or even to file the statement of claim in support of its demand. It is clear from the record that this matter is pending from February, 1984 and more three years have elapsed during which notices used to be issued to the Union. No useful purpose would be served by keeping this matter pending any further inasmuch as it is very clear that the Union is not interested in its demands. The demands are, therefore, rejected for want of prosecution and the reference is dismissed. No order as to costs.

Ahmedabad

Date—22nd December, 1987

G. S. BAROT, Presiding Officer

[No. L-29011/58/83-D. III(B)]

नई दिल्ली, 25 फरवरी, 1988

का.आ. 841—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैं भारत गोल्ड माइन्स लि., ओरगम पोस्ट के.जी.एफ के प्रबन्धतन्त्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलोर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-2-88 को प्राप्त हुआ था।

New Delhi, the 25th February, 1988

S.O. 841.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Industrial Tribunal, Bangalore, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Bharat Gold Mines Limited, Oorgaum Post, K.G.F. and then workmen, which was received by the Central Government on the 12th February, 1988.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT AT BANGALORE

Sri. B. N. Lalge. B.A. (Hons) LL.B. Presiding Officer

Central Reference No 130/87

First Party :—M. Muniswamy, T. No. 5796, But near Bullence, Shaft, Oorgaum (Post), K.G.F.

v/s.

Second Party—Chairman-cum-Managing-Director, M/s. B.G.M.L. Oorgaum (post), K.G.F.

APPEARANCES :

For the first party—Sri K. V. Vijashankar, Advocate.

For the second party—Sri K. J. J. Shetty. Advocate.

Dated the 1st day of February, 1988

AWARD

By exercising its powers under section 10 (1) of the Industrial Disputes Act, the Government of India, Ministry of Labour has made the present reference on the following point of dispute by order No. L-43012|7|87-D.III(B) dated 19-8-1987.

POINT OF DISPUTE

"Whether the dismissal of services of Sri. M. Muniswamy, T. No. 7596, Ex. General Labour, Nundydroog Mill, by the Management of M/s. Bharath Gold Mines Limited, Oorgaum, K.G.F. is justified ? If not, to what relief is the workman entitled to ?"

2. Notices were issued to the parties on 16-9-87. Sri K. V. Vijayashankar, Advocate filed Vakalath for first party and Sri K. G. Shetty Advocate filed his Vakalath for the second party.

3. On prayer made by the first party, time was granted to file the claim statement. On 28-9-87 the learned counsel for the first party again prayed for time and it was granted. On 20-10-1987 Sri K. V. Vijayashankar submitted that he intended to retire from the case on the adjourned date, since the first party workman had not turned up and on that ground the matter was again adjourned to 27-10-1987. On that day neither the first party workman nor his advocate appeared though waited for, and called out till 4.40 p.m. The right of the first party to file the claim statement was forfeited. The second party was called upon to file its counter statement and adduce evidence by affidavits.

4. On 28-12-1987 the personnel manager of the second party Sri. H. Sannamalige has filed his affidavit and the enquiry papers. The learned counsel for the second party was

5. Till today the first party has not turned up and no attempt has been made to substantiate the dispute raised by him. This Tribunal has no other alternative, but to pass an award on the basis of the evidence produced by the second party.

6. The affidavit of the personnel officer of the second party shows that the first party workman had remained absent without permission and thereby committed mis-conduct as per standing order clause (15) (b) (1) and (30) and that an enquiry was held against him and on the basis of the findings he was dismissed from service. In order to support his affidavit the management has produced the enquiry file. The officer of Nandidurga mines had sent a report to the manager stating that between 6-11-1985 and 24-12-1985, the workman was absent for 35 days and he had been remaining absent habitually from December 1984 to November 1985. The second document is the show cause notice issued to him. The enquiry officer has then recorded the evidence in the presence of the first party workman and the workman did not challenge the fact he was absent. Then there is the second show cause notice issued by the management. On 25-3-86 the management has dismissed him from service for committing mis-conduct under clauses 15(b)(1) and 30 read with 15(a) (7). Even before this Tribunal the workman has not shown any cause as to why he had remained absent without leave or permission. I find that the management was justified in dismissing him for his said act of mis-conduct.

7. In the result, an award is passed to the effect that the management of BGML was justified in dismissing the services of M. Muniswamy token No. 7596 and that he is not entitled to any relief.

(Dictated to the secretary taken down by him and got typed and corrected by me).

B. N. LALGE, Presiding Officer

[No. L-43012/7/87-D.III(B)]

का.आ. 842—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) धारा 17 के अनुसरण में, केन्द्रीय सरकार, इंडियन ऑयल करपोरेशन लि. (असम आयल डिविजन) डिगबोई के प्रबन्धतन्त्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, गोहाटी के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16 फरवरी, 1988 को प्राप्त हुआ था।

S.O. 842.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Guwahati, as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Indian Oil Corporation, Assam Oil Division, Digboi and their workmen, which was received by the Central Government on the 16th February, 1988.

ANNEXURE

IN THE INDUSTRIAL TRIBUNAL ASSAM, GUWAHATI

Refereince No. C 3 of 1987

PRESENT :

Shri G. C. Phukan, Presiding Officer, Industrial Tribunal, Assam, Guwahati.

In the matter of an Industrial Dispute Between :

The Management of Indian Oil Corporation, (Assam Oil Division) Digboi.

AND

Their workman Shri B. Tirki, Staff Nurse.

APPEARANCES :

Sri S. N. Sarma, Advocate—For the Management.

Shri P. K. Nag, Advocate—For the Workman.

AWARD

This reference, under clause (d) of sub-sections (1) and sub-section (2A) of Section 10 of the Industrial Dispute Act,

1947 (14 of 1947), hereinafter called the Act, made by the Govt. of India, Ministry of Labour, vide its notification No. L-30012/12/87-D.III(B) dated 24-8-87 related to the industrial disputes formulated in the manner in the schedule given below:

"Whether the action of the management of Indian Oil Corporation Ltd. (Assam Oil Division), Digboi in dismissing from service Miss B. Tirki, Staff Nurse is justified ? If not, what relief is the workman entitled to ?"

As may be seen from the record, for answering the above issue involved in the reference both the contending parties were asked to file their written statements, if any, and to produce evidence also in support of their respective cases. Accordingly both the parties appeared and also filed their written statements. In the written statement by the management it has been said that the workman who was dismissed from service, with effect from 7-6-85 was a staff nurse in the hospital of the Indian Oil Corporation Ltd. (Assam Oil Division), at Digboi. In the said hospital the prevalent practice is that when a particular nurse sudenly became absent from a particular ward the nurse available in another ward does the duty of the said nurse also. In the instant case what happened on 12-1-85 when the concerned workman was on her regular duty in her ward 'K' in the shift from 1 P.M. to 9 P.M. the nurse in the ward 'G' suddenly became absent. It was for such situation the Assistant Matron who was a superior staff requested the concerned workman to administer medicine to the patients in the aforesaid 'G' ward also. The workman who was so asked by the competent superior, however disobyed it by refusing to attend the ward without any sufficient ground. It is for such disobedience of the reasonable and lawful order from the superior there was a regular charge-sheet against the workman for serious misconduct as provided under section (XIV), 2(J) of the Corporation's Certified Standing Orders. In the enquiry held on the charge-sheet the finding was against the workman. Thereafter considering the said finding as well as the materials on record the appointing authority considered it to be a fit case for dismissal of the workman and accordingly such order was passed. According to the management there was never any illegality or irregularity in dismissal of the workman and the present reference was also incompetent, in as much as, there was no industrial dispute to be adjudicated by the tribunal.

In the written statement by the workman there is no denial that she was a staff nurse on duty on the relevant date as stated by the management. Her case is that on the fateful day there were some serious patients including one, getting blood transfusion in her ward and for such reason she was very much pre-occupied. It was in sudh situation there was, however, a direction from the Assistant Matron that she should attend the other ward where there was no nurse. She had no inclination to disobey the order but the situation was such that unless another nurse was put in her place she was unable to attend the ward mentioned above. It is a fact that she did not go to the other ward as desired by the Assistant Matron but thereby she did not violate any reasonable and lawful order of the superior for which she might be dismissed. It is also averred in the written statement that there was no fair and proper enquiry against her. According to her the finding of the Enquiry Officer being influenced one it was bias, arbitrary and unjust and any order passed on the basis of such finding is to be set aside by the tribunal.

Admittedly from the above facts it is clear that there is a fight on the dismissal order. To support the dismissal order the management first relies on the domestic enquiry reserving its right to prove the charge on merit before the tribunal. The domestic enquiry relied on by the management, as stated above, is again formally proved before the tribunal by examining the Enquiry Officer himself as M.W.1 (Dr. Subrata Kr. Chakravarty). In course of evidence the M.W.1 has given the details how he was appointed the enquiry officer and how he proceeded with the matter. He says that Exhibit 3 was the enquiry proceeding wherein Exhibit 4 was his report. In way of elaboration he points out that initially the hearing of the proceeding was fixed on 23-1-85 but on that date it was again adjourned till 21-2-85 at the request of the workman himself. On this date also when the workman could not be fully ready the hearing was again adjourned till 25-2-85. On this date there was oral evidence from the side of management and the witnesses were duly cross-examined also by the workman at length. In this way the hearing continued and at the instance of the workman her self the hearing was further adjourned till 2-3-85. On this date the taking of evidence was concluded. The M.W.1 says that every time he allowed the workman to be represented by the co-worker but for certain reason she could not produce the desired one. In any case it is his statement that he did not deprive the workman of her legitimate right to defend himself. He goes to show that he even allowed her to cross-examine her own witnesses. Admittedly on going through the record of the proceedings what I see is that at every stage the workman was given enough chance to defend herself in the manner permissible under the law and procedure. There is now allegation that the enquiry officer himself warned the workman not to speak anything against her superior. But what may be seen is that to substantiate such allegation nothing could be placed by the workman before the tribunal. It is clear that the charge sheet, Exhibit 2 was duly received by the workman and she understood the same also without any ambiguity or confusion. At any rate there is no allegation that she did not understand the charge levelled against her. It is quite apparent from the domestic enquiry proceeding that everything was in full understanding of the delinquent workman. So far as the getting of fair chance to defend the workman what may be seen is that all the witnesses for the management were examined in her presence and she even cross examined them at length. She herself also deposed before the enquiry officer who recorded her deposition carefully. Why so, even for her own witnesses were allowed to be cross-examined by the enquiry officer. As such what appears in that there was never any unfairness in the proceedings taken against the workman. Regarding the proving of the charge this may be said that the simple allegation against the workman was that she disobyed the order of the superior. In the proceeding the superior who gave the order was also examined. From her evidence supported by the own statement of the workman herself this is quite apparent that the latter refused to attend the duty in another ward in the hospital. This is said by the witness of the management that the usual practice in the hospital is that when a particular nurse happens to be absent suddenly, another nurse, present in the duty performs the duty of the said absentee nurse. Although there was a lengthy evidence before the enquiry officer this procedure was not challenged by the workman. Even before the tribunal this is not done. Rather she admits the prevalence of such a practice in the hospital, when she herself admits that by a mutual arrangement they occasionally manage the hospital when some nurses remain absent. Regarding the giving of order by the Assistant Matron to attend the other ward there is clear evidence from her that it was true. She even goes to say that she was repeatedly asked to do duty in the said ward. It is also admitted by her that she refused to go to other ward unless another substitute was placed in her ward or in the alternative a written order was issued to her. She, however, repeats that as there was a malina patient in her ward receiving blood transfusion she could not go to the other ward without inviting risk. That there was a malina patient receiving blood transfusion that has been admitted by the witnesses of the management even. In any case she was simply asked to administer medicine only in the other ward. According to her own statement the work might have taken only about an hour. Considering all the facts and circumstances I, however, cannot say that due to unavoidable situation only the workman was compelled to disobey the order. The facts available in the case prove that by making little adjustment the workman could have carried out the order of the superior but only by showing adamancy she did not prefer to do so. In any case it is well established that for any reason, right or wrong, the workman disobeyed the reasonable and lawful order of the superior. Section XIV(2)(i) of the certified standing orders of the corporation says that wilful insubordination or disobedience, whether alone or in combination with others, to any lawful or reasonable order of a superior is a misconduct. Again sub-section (1) of aforesaid section XIV says that for misconduct a workman may be dismissed. The same standing order, however, given direction also how the disciplinary actions are to be taken against any workman. On going through the record I doubt find that there was any violation of the procedure to the said effect. There is nothing on record also from which it can be said that the workman was any way prejudiced. The entire proceeding was taken by following the principles of natural justice as far as practicable and there was no occasion for

any prejudice or unfairness against the workman concerned. In my opinion the domestic proceeding was fair and impartial. It is also established that the workman was liable for misconduct by disobeying the reasonable and lawful order of the superior. That means it is clear that the workman was rightly hold guilty of misconduct in a fair domestic enquiry.

Now the question is whether the punishment awarded against the workman was in accordance with the gravity of the offence committed by her. In this respect what may be said is that it is a fact that the workman invited punishment by committing the offence of misconduct. But what I feel is that for each and every misconduct the dismissal which is the maximum punishment to an employee is not always permissible. Admittedly there are grades of such offences. In the instant case it is not that the workman refused to comply with the order without assigning any reason. However weak may be, she assigned some reason for not complying with the order. If she would have been guilty of neglecting her assigned duty in her own ward then she could have been rightly dismissed from service without question. In the instant case while performing her own duty she refused to do some other duty in another ward. I think this a very strong mitigating circumstance in her favour for which her dismissal from service may be said to be somewhat excessive. No doubt she is liable for misconduct. But the misconduct is not such for which she warrants a dismissal from service. Considering the entire circumstances appearing in the case a punishment lesser than the punishment of dismissal is found to be quite sufficient to meet the ends of justice in the case. As a result it is held that the dismissal of the workman from serice is to be replaced by another punishment of lesser kind. In the circumstances of the case the ends of justice will be defiaitely met if she is debarred from one annual increment with all the concomitant benefit attached to it, with the above decision the issue in question is decided.

In the result an award is hereby passed by substituting the punishment with stoppage of one annual increment of the workman as indicated above and by awarding the above lesser punishment the workman is reinstated to her original service with immediate effect. The workman shall get all her back wages, minus the benefit of one incremnet as indicated above.

The award is passed today the 3rd day of February, 1988 at Guwahati under my hard and Seal.

G. C. PHUKAN, Presiding Officer

[No. L-30012/12/87-D.III(B)]

नई दिल्ली, 26 फरवरी, 1988

आदेश

का.आ. 843.—बनमोर सीमेन्ट वर्क्स, कैलारस/सिमाई क्वारीज, मेकर्स डिवलपमेंट सर्विसिज प्राइवेट लि., बनमोर, जिला मुरैना (म.प्र.) के प्रबन्धतन्त्र और उनके कर्मकारों जिनका प्रतिनिधित्व सीमेन्ट खदान मजदूर संघ, कैलारस/ सिमाई करता है, के बीच एक औद्योगिक विवाद विद्यमान है ;

और उक्त नियोजकों तथा उनके कर्मकारों ने औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-क के अधीन एक लिखित करार द्वारा इस विवाद को माध्यस्थम के लिए निर्देशित करने का करार कर लिया है और उक्त अधिनियम की धारा 10-क की उपधारा (3) के अनुसरण में उक्त माध्यस्थम करार की एक प्रति केन्द्रीय सरकार को भेजी गई है :

अत: अब उक्त अधिनियम की धारा 10-क की उपधारा (3) के अनुसरण में केन्द्रीय सरकार उक्त करार को प्रकाशित करती है।

करार

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अधीन)

पक्षकारों के नाम—

नियोजकों का प्रतिनिधित्व करने वाले :	श्री एस.एम. सिद्दीकी महा प्रबन्धक/एजेंट बनमोर सीमेंट वर्क्स, कैलारस/सिमाई क्वारीज मेकर्स डिवलपमेंट सर्विसेज प्रा. लि.
कर्मकारों का प्रतिनिधित्व करने वाले	श्री रंजीत सिंह भदौरिया, अध्यक्ष, सीमेंट खदान मजदूर संघ, कैलारस/सिमाई।

पक्षकारों के बीच निम्नलिखित औद्योगिक विवाद को श्री ए. एन. सारस्वी, पीठासीन अधिकारी, श्रम न्यायालय सं. 1, ग्वालियर, के माध्यस्थम के लिए निर्देशित करने का करार किया गया है।

मामले का संक्षिप्त विवरण

(1) नैमित्तिक कर्मकार सर्वश्री मांगी सुपुत्र श्री जगनू, श्यामलाल सुपुत्र बुधु, रामदयाल सुपुत्र दुर्जन और लालाराम सुपुत्र बीधा मेकर्स डिवलपमेंट सर्विसिज प्रा.लि. की सिमाई कोलियरी बनमोर सीमेंट वर्क्स, बनमोर में कार्यरत थे। उनके विरुद्ध लगाए गए दुराचार के कारण जांच की गई और लगाए गए आरोप साबित पाये गए इसलिए दिनांक 29-4-87 के आदेश सं. बी.एम./एस.टी.एफ./2/डब्ल्यू/सी/सी.एस./3430-39 द्वारा उन की सेवाएं समाप्त करदी गई थी।

(2) कि कर्मकारों के प्रतिनिधि सीमेंट खदान मजदूर संघ और सभी चार कर्मकारों ने समझौते के लिए प्रबन्धतन्त्र से सम्पर्क किया और सर्वश्री राम दयाल सुपुत्र दुर्जन और लाला राम सुपुत्र बीधा को एक अवसर देने को कहा।

(3) कि मुरैना के कलैक्टर (श्री अरविन्द जोशी) और अन्य प्राधिकारियों ने भी किसी समझौते पर पहुंचने के लिए दबाव डाला कि सर्वश्री लालाराम सुपुत्र बीधा और रामदयाल सुपुत्र दुर्जन को एक अवसर दिया जाए तथा बाकी दो सर्वश्री मांगी और श्यामलाल के मामले को माध्यस्थम के लिए भेजा जाए।

(4) कि वर्तमान स्थिति को देखते हुए और प्राधिकारियों तथा यूनियन और कर्मकारों के दबाव डालने पर प्रान्धतंत्र श्री लाला राम सुपुत्र बीधा, राम दयाल सुपुत्र दुर्जन को एक अवसर देने पर सहमत हो गया जोकि अन्य दो कर्मकारो सर्वश्री मांगी सुपुत्र जगनू, श्यामलाल सुपुत्र बुधा के मामलों में किसी भी प्रकार से प्रभाव नहीं डालेगा जिसे माध्यस्थम के लिए भेजा जा रहा है।

(5) पक्षकार इस बात पर सहमत हो गए है कि उक्त कर्मकारों सर्वश्री मांगी सुपुत्र दुर्जन, श्यामलाल सुपुत्र बुधा के विवाद को भी ए.एन. सारस्वी, पीठासीन अधिकारी, श्रम न्यायालय सं. 1, ग्वालियर को निम्नलिखित विचारार्थ विषयों के साथ भेजा जाए,

"क्या नैमित्तिक कर्मकारों श्री मांगी सुपुत्र जगनू और श्री श्याम लाल सुपुत्र श्री बुधा की सेवा समाप्ति अवैध और अनुचित यदि हां, तो वे किस अनुतोष के हकदार है?"

मध्यस्थ इस विषय पर विचार करेगा और इस विवाद पर कानून के अनुसार निर्णय देगा और सरकारी राजपत्र में प्रकाशन हेतु इसे उपयुक्त सरकार को भेजेगा। मध्यस्थ की सहमति इसके साथ अनुबन्ध में दी गई है।